



# ADMINISTRATIVE PROCEDURE

## COOPERATION WITH LAW ENFORCEMENT AND GOVERNMENT OFFICIALS CONTACTING STUDENTS

5144

Procedure No.

August 30, 2018

Date

- I. **PURPOSE:** To establish procedures to govern contacts by law enforcement and Child Protective Services personnel with students at school.
- II. **POLICY:** The Prince George’s County Board of Education, in recognizing the need for cooperation with law enforcement personnel and other County, State, and Federal agencies, directs the Chief Executive Officer to establish procedures to govern contacts by law enforcement officers with students at school. (Board Policy 5144)
- III. **DEFINITIONS:**

**Law Enforcement Personnel and Government Agency Officials**– includes any duly authorized county, state, or federal police officer, as well as investigators of the Prince George’s County Fire Marshall’s Office, representatives of the Prince George’s County Department of Juvenile Services, representatives of the Office of the Prince George’s County State’s Attorney, and caseworkers of the Prince George’s County Department of Social Services.

**Child Abuse** – (1) Physical or mental injury of a child by any parent, or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child’s health or welfare is harmed or at substantial risk of being harmed; or (2) Any sexual abuse of a child, whether or not physical injuries are sustained.

**Child Protective Services (“CPS”)** – the unit of Prince George’s County Department of Social Services responsible for the investigation of child abuse and neglect.

**School Administrator** – includes the principal, assistant principal or designee.

- IV. **PROCEDURES:**

- A. Requesting the Services of Law Enforcement Agencies

When a situation arises in a school which necessitates seeking the services of law enforcement personnel, the school administrator shall call the appropriate agency, depending upon the services needed; describe the problem; and request assistance. If there is a Security Services investigator/counselor assigned to the school, the principal may wish to discuss the problem with the investigator/counselor prior to requesting assistance, if time permits.



## ADMINISTRATIVE PROCEDURE

### COOPERATION WITH LAW ENFORCEMENT AND GOVERNMENT OFFICIALS CONTACTING STUDENTS

5144

Procedure No.

August 30, 2018

Date

- B. Arrests by and Release of Students to Law Enforcement Officers
1. When possible and appropriate, arrests by police should be made during non-school hours and away from the school premises.
  2. When an arrest on school premises during school hours is necessary, the responsible school administrator shall ascertain: the facts from the arresting officer, which will enable him/her to fully advise the parent or guardian and other appropriate school officials of the nature of the charge; the identity of the arresting officer; and the location to which the student is being taken.
  3. When an arrest has taken place on school premises during school hours, every effort shall be made by the school administrator to inform the parent or guardian immediately and thereafter promptly advise the Office of the Chief Executive Officer.
  4. Arrest on school premises during school hours shall be effectuated in such a manner as to avoid embarrassing the student being arrested and jeopardizing the safety and welfare of other students or other persons on school property.
- C. Questioning on School Premises
1. School administrators shall not permit questioning on school premises of a student under arrest and shall request the arresting officer to remove the student from the premises as soon as practicable after the arrest is made.
  2. Police investigations involving the questioning of students not under arrest may not be permitted on school premises unless in connection with a crime committed on the premises or in connection with an investigation, which if not immediately permitted would compromise the success of that investigation or endanger the lives or safety of the students or other persons. The school administrator shall be present throughout any questioning of students by law enforcement officers.
  3. Whenever investigative questioning of students is permitted on the premises, the school administrator should promptly advise the parent or guardian and the Office of the Chief Executive Officer of the nature of the investigation and other details as may be required.



# ADMINISTRATIVE PROCEDURE

## COOPERATION WITH LAW ENFORCEMENT AND GOVERNMENT OFFICIALS CONTACTING STUDENTS

5144

Procedure No.

August 30, 2018

Date

4. In the absence of an arrest, school administrators may not authorize the removal of a student from school for the purpose of investigative questioning without the consent of the parent or guardian.

### D. Search and Seizure

1. Police officers upon the authority of a search warrant may make a search of that part of the school premises described in the search warrant, and school administrators should cooperate in performing the search.
2. Investigative searches of school premises by police officers shall be permitted only upon the authority of a search warrant or in any case where the search is essential to prevent imminent danger to the safety or welfare of the students or other persons on school property. The search may not include the student's assigned locker unless specified in the search warrant.
3. Every effort should be made to conduct searches in a manner which would minimize a disruption to the normal school routine and minimize embarrassment to students affected.
4. A police officer may not search the person of a student not under arrest unless the police officer has a reasonable suspicion that the student is concealing a weapon. A school administrator may not conduct a search of a person at the request of a police officer.
5. School administrators, at any time, may conduct individualized reasonable suspicion searches as are essential to the security, discipline, and sound administration of the particular school, but are limited, as stated above, whenever the search is in connection with a police investigation.

### E. Reporting Crimes

1. School administrators shall promptly report to the responsible law enforcement agencies all police matters coming to their attention, whether occurring on or away from the school premises, which involve students attending that particular school.



## ADMINISTRATIVE PROCEDURE

### COOPERATION WITH LAW ENFORCEMENT AND GOVERNMENT OFFICIALS CONTACTING STUDENTS

5144

Procedure No.

August 30, 2018

Date

2. Police matters do not include conduct which has been treated traditionally as a matter of discipline to be handled administratively by the particular school, except that all conduct of a serious nature should be promptly reported to the parent or guardian.

#### F. Fire Marshall

The foregoing procedures shall govern investigations conducted in the schools by representatives of the Fire Marshall's Office.

#### G. Department of Juvenile Services

Any student on court-ordered probation may be interviewed by his/her Juvenile Services Counselor without prior parental permission or school system personnel permission.

However, such interviews may not take place alone with students in a windowless room with a closed or locked door or in any manner that would constitute inappropriate contact with students, as defined under Administrative Procedure 4219, Inappropriate Interactions Among Students and Employees, Independent Contractors and Volunteers.

#### H. Department of Social Services

1. Caseworkers from the Department of Social Services may interview students whose custody has been awarded to the Department of Social Services or students who have been reported to the Department of Social Services for suspected neglect or abuse. This includes Child Protective Services, which is an arm of the Department of Social Services. Notification to the parents or guardians is not necessary for such interviews.
2. When CPS interviews a child at a public school, a school administrator shall be present during the interview after consultation with the CPS investigator. A private room shall be provided for the interview to be conducted. The school administrator will not take an active role in the investigation unless so requested.
3. The school administrator should not notify the parents that the child was questioned by CPS. CPS is responsible for notifying the parents that the child was interviewed.



## ADMINISTRATIVE PROCEDURE

### COOPERATION WITH LAW ENFORCEMENT AND GOVERNMENT OFFICIALS CONTACTING STUDENTS

5144

Procedure No.

August 30, 2018

Date

4. If the CPS investigator deems it necessary to remove the child from school:
  - a. The CPS investigator will leave a Limited Custody document with the school administrator that includes the name of the child being removed, date, time, and the signature of the CPS investigator. The form shall include contact information the parent or guardian may use to reach CPS for additional information.
  - b. The CPS investigator will notify the parent or legal guardian of the student's removal. However, if the parent or legal guardian contacts the school prior to receiving notice from the CPS investigator, the school administrator may provide the parent or legal guardian with a copy of the Limited Custody form provided by CPS.
  - c. The student's removal should be effectuated in such a manner that avoids embarrassing the student and compromising the student's right to confidentiality.
  - d. The school administrator shall promptly notify his/her respective Instructional Director. In the event that Instructional Director is not available, the school administrator shall contact the Associate Superintendent. Verbal notification from the school administrator must occur on the date of the student's removal from school premises and shall include the student's name, grade, time of incident, officer's name or identifying information, and other pertinent facts.
  - e. The Instructional Director will communicate information to the Associate Superintendent who will then notify the Director of Security Services, Chief of Communications and Community Engagement and Chief of Schools. Within 24 hours, the school administrator shall complete the Emergency Notification form (attached) for submission and recordkeeping purposes to his/her Instructional Director.
- I. Prince George's County Health Department



## ADMINISTRATIVE PROCEDURE

### COOPERATION WITH LAW ENFORCEMENT AND GOVERNMENT OFFICIALS CONTACTING STUDENTS

5144

Procedure No.

August 30, 2018

Date

A Health Department Caseworker, upon presenting proper credentials to the principal, may interview a student at the school without parental permission or notification.

#### J. Other Government Agencies or Individuals

1. Any other government agency seeking to interview a student may do so only after such individual has signed into the Raptor system and provided proof of: (a) legal authorization or court order for the access, or written, informed consent from the student's parent or guardian; and (b) copy of the agency identification.
2. Any other individual seeking to interview a student may do so only after the individual has obtained written, informed consent from the student's parent or guardian.

However, as provided under Administrative Procedure 0500, requests by parents/guardians to have a tutor, counselor, psychologist, or attorney in their employ come to school to work with a student cannot be approved.

3. Any interviews conducted under this section may not take place alone with students in a windowless room behind closed or locked doors, or in any manner that would constitute inappropriate contact with students, as defined under Administrative Procedure 4219, Inappropriate Interactions Among Students and Employees, Independent Contractors and Volunteers.

#### K. Release of Information

Procedures for the release of information to law enforcement officers are outlined in Administrative Procedure 5125, Individual Student School-Based Records.

#### V. **MONITORING AND COMPLIANCE:**

- A. Training: School principals will be trained annually on the requirements of this procedure.
- B. Recordkeeping: School administrators must retain copies in the student's education record of any legal authorization, court order, parental consent or agency identification provided in accordance with this procedure.



## ADMINISTRATIVE PROCEDURE

### COOPERATION WITH LAW ENFORCEMENT AND GOVERNMENT OFFICIALS CONTACTING STUDENTS

5144

Procedure No.

August 30, 2018

Date

- VI. **LEGAL AUTHORITY:**  
Maryland Code Annotated, Family Law Article sections 5-706, 5-710; Courts and Judicial Proceedings Article section 3-814; and COMAR 07.02.07.07-.08; and 13A.08.01.13.
- VII. **RELATED POLICIES AND PROCEDURES:**  
Board Policy 5144, Law Enforcement Officers;  
Administrative Procedure 0500, School Visitors;  
Administrative Procedure 5125, Individual Student School-Based Records;  
Administrative Procedure 5145, Suspected Child Abuse and Neglect.
- VIII. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** The Division of Security Services is responsible for the maintenance and updating of these procedures.
- IX. **CANCELLATIONS AND SUPERSEDURES:** These procedures cancel and supersede the Administrative Procedure of the same title dated September 5, 2017.
- X. **EFFECTIVE DATE:** August 30, 2018

**Attachment:** Emergency Notification Form