Investigation and Questioning of Students

Section 1. Written Statement of Officer Required Where Student is Not a Suspect.
When a building principal is asked to cooperate with an official of the law by permitting a student to be questioned concerning some illegal act that he/she has committed or observed, it is the responsibility of the principal to protect the rights of the student. East Allen County Schools will cooperate with law enforcement agencies by encouraging students to give information to an officer of the law, on school time and on school property, whenever the officer submits to the school a written request, specifically stating that the student is not suspected of any violation of the law. The following guidelines will be adhered to by the administration and guidance personnel in the East Allen County Schools.

Section 2. Consent of Legal Guardian Required Where Student May Be A Suspect.
Except where a written request is submitted as required by the above paragraph, East Allen County Schools will not permit an officer of the law to question a student on school time and on school property, unless the legal guardian of such student shall consent to the questioning (provided, however, no parental consent shall be required where the student is 18 years of age).

Section 3. Consent of Student Required.
In any case, except investigations of child abuse or neglect, questioning of a student on school time and on school property by an officer of the law shall not be permitted unless the student consents thereto.

A student may request that the questioning take place in the presence of an adult chosen by the student. Where the student may be a suspect, the parent of the student may request that the questioning take place in the presence of the parent. Private facilities shall be provided for any questioning.

Section 4. Removal of Student by Officer.
In the event a student shall be removed from school property during school time by an officer of the law, any school official having knowledge thereof shall immediately notify the parent of the student of the fact by telephone, if possible, otherwise by mail.

Section 5. Record of Investigation.
A form is to be completed by the building principal each time an investigating officer questions a student or removes a student from a school building. This completed form shall be kept on file as an official record of the questioning and/or removal of a student by an official of the law.

Section 6. Child Abuse Investigation.
In the event of an investigation of child abuse or neglect by or on behalf of a local child protection service, the “officer of the law” shall include an investigator involved in such an investigation.
Section 7. Reporting Child Abuse. Because of their sustained contact with school-aged children, school employees are in an excellent position to identify abused or neglected children and to refer them for proper treatment and/or protection.

In compliance with federal and state statutes, any school employee who suspects that a child’s health or welfare may be adversely affected by abuse or neglect will report such immediately.

Section 8. Definition. “Abuse” means the infliction, by other than accidental means, of physical harm upon the body of a child. “Neglect” means the failure to provide necessary food, care, clothing, shelter, or medical attention for a child.

Section 9. Procedure. The person suspecting abuse or neglect reports suspicions to the principal or designee. The principal will contact the Allen County Department of Public Welfare. The following information will be given in the report to the Department of Public Welfare:

1. Name of student.
2. Address of student.
3. Age of student.
4. Name of parent/guardian.
5. Address of parent/guardian.
6. Telephone number at home and work.
7. Description of abuse and/or neglect.
8. Any other information that might help in the investigation by the Department of Public Welfare.

It is not the responsibility of the school employee to prove the child has experienced abuse and/or neglect. Neither is it the employee’s responsibility to determine whether the child is in need of protective care.

School employees and officials will not contact the child’s family or any other person other than the agency charged with the responsibility of the investigation.

Any personal interview or physical inspection of the child by the school should be conducted in a professional manner and by appropriate personnel qualified to make some judgment.

The initial report regarding abuse and/or neglect of a child will undoubtedly be done orally. It is required such report be followed up in writing and a copy be submitted to the Executive Director of Student Services.

Failure to report abuse and/or neglect is a misdemeanor by Indiana statute.