

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(LOCAL)

LOCAL LAW
ENFORCEMENT

The District shall work cooperatively with local governmental authorities including law enforcement agencies, the juvenile court, child protective services, the City of Irving, and Dallas County.

The District is not authorized nor required to provide access to or release student information or records except when in conformity with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), as amended, Chapter 26 Tex Educ Code, Chapter 552 Tex Gov't Code, policy CLA(LOCAL), and policy FL(LOCAL).

REPORTS TO LOCAL
LAW ENFORCEMENT

The principal, or school employee under his or her supervision who is designated by the principal, shall notify the Irving Police Department, or other applicable federal or state law enforcement agency, if the principal has reasonable grounds to believe that any of the following activities occur in school, on school property, or at a school-sponsored or school-related activity on or off school property, without regard to whether the activity is investigated by school security officers:

1. Conduct that may constitute an offense listed in Section 508.149, Government Code; deadly conduct, as described by Penal Code 22.05, or a terroristic threat, as described by Penal Code 22.07. [See GRA(EXHIBIT)]
2. The use, sale, or possession of a controlled substance, drug paraphernalia, or marijuana, as defined by Chapter 481, Health and Safety Code.
3. The possession of any of the weapons or devices listed in Penal Code 46.01(1)–(14) or (16). [See FNCG]
4. The possession of a weapon as defined by 18 USC Section 921, in accordance with the Gun-Free Schools Act. [See FOD]
5. Conduct that may constitute a criminal offense under Penal Code 71.02, Engaging in Organized Criminal Activity. [See GRA(EXHIBIT)]

The report shall include the name and address of each student the person believes may have participated in the activity, but is not required if the person reasonably believes that the activity does not constitute a criminal offense. [Education Code 37.015, 37.007(d)]

REPORTS TO
JUVENILE JUSTICE
AGENCY

The Superintendent or designee may disclose information contained in a student's educational records to a juvenile justice agency if the disclosure is under an interagency agreement authorized by Family Code 58.0051.

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(LOCAL)

The District is not required nor authorized to release student-level information except in conformity with the Family Educational Rights and Privacy Act of 1974 (20 USC 1232g). [See FL and Education Code 37.084]

STUDENTS TAKEN
INTO CUSTODY

The District shall permit a student to be taken into custody:

1. Pursuant to an order of the juvenile court;
2. Pursuant to the laws of arrest;
3. By a law enforcement officer if there is probably cause to believe the student has engaged in delinquent conduct or conduct in need of supervision;
4. By a probation officer if there is probable cause to believe the student has violated a condition of probation imposed by the juvenile court;
5. Pursuant to a properly issued directive to apprehend; or
6. By an authorized representative of the Child Protective Services (CPS), Texas Department of Family and Protective Services (DFPS), a law enforcement officer, or a juvenile probation officer, without a court order, under the conditions set out in Family Code 262.104 relating to the student's physical health and safety. [Family Code 52.01, 262.10]

Before a student at school is arrested or taken into custody by a law enforcement officer or other legally authorized person, the principal shall verify the official's identity. To the best of his or her ability, the principal shall verify the official's authority to take custody of the student, and then shall deliver over the student.

The principal shall immediately notify the Superintendent and the parents or other person having lawful control of the student. If the officer or other authorized person raises what the principal considers to be a valid objection to notifying the parents at that time, the principal shall not notify the parents.

NOTICE FROM LAW
ENFORCEMENT

A law enforcement agency that arrests any person or refers a child to the office or official designated by the juvenile court who the agency knows or believes is enrolled as a student in a public primary or secondary school shall orally notify the Superintendent or designee in the District at which the student is enrolled or believed to be enrolled of that arrest or referral within 24 hours after the arrest or referral is made, or on the next school day. Within seven days after oral notice is given, the law enforcement agency shall mail written notice. Both the oral and written notice shall contain sufficient details of the arrest or referral and the acts allegedly

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(LOCAL)

committed by the student to enable the Superintendent or designee to determine whether there is a reasonable belief that the student has engaged in conduct defined as a felony offense by the Penal Code. The information contained in the notice may be considered by the Superintendent or designee in making such a determination. This notice shall be made only if the student has been arrested or referred for committing a felony offense or other offenses specifically enumerated by the statute.

SEX OFFENDER

If the victim of a person who is required to register under the Sex Offender Registration Program is a child younger than 17 years of age, or the person subject to registration is 17 years of age or older and a student enrolled in a public secondary school, the local law enforcement authority shall immediately provide notice to the Superintendent of the district in which the person subject to registration intends to reside, by mail to the office of the Superintendent. [Code of Criminal Procedure 62.03(e), 62.04(f)]

NOTICE TO
PERSONNEL

The Superintendent or designee shall notify all instructional and support personnel who have responsibility for supervising a student who has been arrested or taken into custody as provided by a law enforcement agency.

The office of the prosecuting attorney of the office or official designated by the juvenile court shall, within two working days, notify the district that removed a student to an alternative education program, if:

1. Prosecution of the student's case was refused for lack of prosecutorial merit of insufficient evidence and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated; or
2. The court or jury found the student not guilty or made a finding the child did not engage in delinquent conduct or conduct indicating a need for supervision and the case was dismissed with prejudice.

When the Superintendent or designee receives information from a prosecuting attorney that a student has been convicted or adjudicated of delinquent conduct for a felony offense, the Superintendent or designee shall promptly notify all instructional and support personnel who have regular contact with the student. [Code of Criminal Procedure, Article 15.27 (a), (b), (g)]

On receipt of the NOTICE FROM LAW ENFORCEMENT regarding a registered sex offender, the Superintendent shall release the information contained in the notice to appropriate District personnel,

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(LOCAL)

	including peace officers and security personnel, principals, nurses, and counselors. [Code of Criminal Procedure 62.03(e), 64.04(f)]
CPS INVESTIGATIONS AT SCHOOL	A school official may not refuse to permit a CPS investigator to interview a student at school who is alleged to be a victim of abuse or neglect under Family Code Chapter 261. A school official may not require the CPS investigator to permit District personnel to be present at a student interview conducted at school. A school official who denies a CPS investigator access to a student or who conditions access upon the investigator conducting the interview in the presence of District personnel may interfere with the investigation in violation of Chapter 261. [Family Code 261.302(b), 261.303(a); Attorney General Opinion DM-476 (1998)]
CPS INVESTIGATIONS OF SCHOOLS	On receipt of a report of alleged or suspected child abuse or neglect in a public school, the DFPS shall perform an investigation as provided by Family Code Chapter 261. Investigation of school personnel or volunteers for child abuse or neglect shall be conducted by CPS in accordance with the procedures adopted in DFPS rule. [Family Code 261.406; 40 TAC 700.401-413]
NOTIFICATION TO PRINCIPAL	<p>Prior to conducting an investigation of school personnel or volunteers, CPS shall notify the school principal (or the principal's supervisor if the principal is an alleged perpetrator) of the fact that a report has been assigned for investigation, the nature of the allegations contained in the report, and the date and time when the investigator plans to visit the school campus to begin the investigation.</p> <p>The CPS investigator must request that the school principal (or the principal's supervisor) not alert the alleged perpetrator or others regarding the report until the investigator has first had an opportunity to interview the alleged perpetrator. [40 TAC 700.407]</p>
CONDUCTING INTERVIEWS	School officials or other persons related to the school setting may not interfere with an investigation of a report of child abuse or neglect conducted by DFPS. Interviews and examinations in a school investigation may take place on or off the school premises, as deemed appropriate by the CPS investigator, provided the investigator notifies the school principal (or the principal's supervisor if the principal is an alleged perpetrator) prior to conducting an interview or examination on school premises.
PARTICIPANTS	CPS may request that school personnel or volunteers not be present during the interview or examination of an alleged victim, an alleged perpetrator, an adult or child witness, or any other person who may have information relevant to the investigation if the investigator determines that:

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(LOCAL)

1. The presence of school personnel or volunteers would compromise the integrity of the investigation; or
2. A better interview or examination of the child would result without school personnel or volunteers being present.

[Family Code 261.303; 40 TAC 700.409(a)]

REPORT OF
FINDINGS

After DFPS has closed the school investigation, CPS shall provide a report of the investigation to TEA, SBEC, the president of the Board, and the school principal, unless the principal is the alleged perpetrator.

CPS need not provide a report of the investigation if a report of abuse or neglect is closed administratively prior to notification to any school official that a report was received by DFPS.

SCHOOL RESOURCE
OFFICER (SRO)
PROGRAM

Through an interlocal agreement between the District and the City of Irving, the District and the Police Department of Irving have instituted a cooperative School Resource Officer (SRO) Program at various secondary schools of the District. These commissioned peace officers shall assist District personnel in protecting District property and the security and safety of its students and personnel. The SRO is expected to deter the commission of criminal acts and shall conduct investigations regarding such acts that may occur on school property within his or her jurisdiction. The SRO should inform a campus administrator of such investigation as soon as reasonably possible. The SRO also shall coordinate the Crime Stoppers Program, personally assist students with various problems involving potential involvement with law enforcement and maintain positive relations between students and city police.

INVESTIGATIONS AND
QUESTIONING OF
STUDENTS

SCHOOL
RESOURCE
OFFICER

The campus administration and SRO shall work cooperatively and shall collaborate in protecting the District's property, the security and safety of students and personnel, and in maintaining an environment conducive to effective teaching and learning. When a student is to be interrogated by the SRO in his or her investigation of a penal offense, the campus administration should be so informed and the parent/guardian should be notified of the investigation by administration in order that the parent may arrange for a conference and be informed of involvement by the SRO. The SRO shall decide whether others may be present during the questioning of a student during an investigation.

In addition to the mandatory reports of offenses heretofore described in this policy, the responsible campus administration may inform the SRO or other law enforcement officials of conduct in violation of Levels II, III, or IV of the Student Code of Conduct that the campus administrator reasonably believes may constitute a

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(LOCAL)

violation of the penal laws of the state. In such event, the parent/guardian should be notified by a campus administrator.

A campus administrator shall make a reasonable and good faith effort to notify a parent or guardian of an elementary-aged student before asking a SRO to question the student. An administrator and/or parent/guardian may request to be present when the SRO interviews an elementary-aged student. The SRO shall decide whether others may be present during the questioning of the student.

The campus administration may request that the SRO file formal complaints or charges involving conduct believed to be in violation of applicable criminal laws. Nothing herein should be construed to limit the SRO's authority as a commissioned peace officer when he or she personally observes the commission of a criminal offense.

In implementing this policy, compliance with applicable provision of the Family Education Rights and Privacy Act ("FERPA"), Chapter 26 Tex. Educ. Code, and Board policy FL is required. Noncompliance may result in disciplinary action.

OUTSIDE LAW
ENFORCEMENT
OFFICIALS

When law enforcement officials or other lawful authorities, other than SRO's, appear on campus to question a student, the following procedures shall be followed:

1. The principal shall verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school.
2. The principal shall ordinarily make reasonable efforts to notify the student's parents or other person having lawful control of the student. If the interviewer raises what the principal considers to be a valid objection to the notification, parents shall not be notified.
3. The principal or designee ordinarily shall be present during the questioning or interview. If the interviewer raises what the principal considers to be a valid objection to a third party's presence, the interview shall be conducted without the person's presence.

CHILD ABUSE
INVESTIGATION

When the event is part of child abuse investigations conducted by DFPS or other lawful authority, the principal shall cooperate fully with the officer's request regarding the conditions of the interview or questioning.

RECREATION
AUTHORITIES

The District shall cooperate with the City of Irving in jointly sponsored recreational activities. Physical facilities such as buildings, parks, playgrounds, swimming pools, etc. shall be made available

RELATIONS WITH GOVERNMENTAL ENTITIES
LOCAL GOVERNMENTAL AUTHORITIES

GRA
(LOCAL)

on a reciprocal basis, for recreational projects on an approved basis.

SCHOOL CROSSING
GUARDS

The District will contract with the City of Irving to provide school crossing guards to facilitate the safe crossing of the streets in the municipality by children going to or leaving from a public, parochial, or private elementary or secondary school. Under such a contract, the District may provide school crossing guard services to areas of the municipality that are not part of the District. [Local Gov't Code 343.012]

NOTICE FROM
RESIDENTIAL FACILITY

A residential facility, unless the facility is an open-enrollment charter school, shall notify the District in which the facility is located not later than the third day after the date a person three years of age or older is placed in residential facility. [Education Code 5.001, 29.012(a)]

MUNICIPAL
ANNEXATION

A municipality that proposes to annex an area shall provide written notice of the proposed annexation to each public school district located in the area proposed for annexation within the period prescribed for publishing the notice of the first annexation hearing. The municipality may not proceed with the annexation unless it provides the required notice. [Local Gov't Code 43.95]