

## **4330 RELEASE OF STUDENTS DURING SCHOOL HOURS**

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### References

*Utah Code Ann. 30-3-10.9*

*Utah Code Ann. 62A-4a-409*

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### **I. PURPOSE AND PHILOSOPHY**

Weber School District recognizes its *in loco parentis* responsibility over students who are at school during the school day, and seeks to ensure that when students are under the care and supervision of school personnel, they will not be released to any but a parent or legal guardian, except under certain circumstances. The purpose of this policy is to outline instances when students will be released during the school day to individuals other than the student's parents or legal guardians

### **II. POLICY**

Under certain circumstances and with proper authority, as outlined below, students may be released during school hours to persons other than a custodial parent or legal guardian.

### **III. DEFINITIONS**

- A. **“Law Enforcement”** means the local police department or sheriff's department with jurisdiction over the geographic area in which the school is located
- B. **“Released”** means removed from a class and/or removed from school property

### **IV. PROCEDURES**

- A. Law Enforcement
  - 1. Students may be released from school property to the custody of law enforcement officer:
    - a. upon parent approval; or
    - b. upon a lawful arrest or detention by a law enforcement officer; or
    - c. upon receipt of a proper Utah court order.
  - 2. The principal will document the release from school property of the student to a law enforcement officer.
  - 3. The principal will make every effort to notify the parents or guardian of the student when the school releases a student from school property to a law enforcement officer.
- B. Division of Child and Family Services (DCFS)
  - 1. In suspected cases of child abuse/neglect, the Division of Family Services caseworkers, upon presentation of evidence of an ongoing investigation of child abuse or neglect, may interview involved children at school without notification of parents by school personnel.
  - 2. The student should be asked if they would like a school representative, ie, administrator or counselor, present during the interview.

C. Divorced Parents

1. Consistent with the law, a parent with sole legal and physical custody will make decisions regarding whether one or both parents have access to the child during the school day and the right to authorize release of the child from school (ie, check the child out of school).
2. If parents share physical custody (regardless of whether one parent has the child the majority of the time), both parents will have access to the child during school and the right to authorize release of the child from school (ie, check the child out of school.)

D. Non-Custodial Adults

1. A student may be released to a non-custodial adult when the parent or guardian provides verbal or written consent.
2. The person releasing the student must document the verbal consent in the district's student information system.

E. Releasing Students Without Parents

1. At the end of the school day, a student may travel to and from school, including walking, running, or bicycling, without a parent or guardian, regardless of the student's age.
2. An Elementary or Jr. High aged student being released during the school day may only be released under the circumstances described in this policy.
3. A High School student may be released to leave school without a parent or guardian only with a written note from the parent or guardian.