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- 5 (1) The student, if then available, shall be present during any
- 6 search of his/her locker, desk, or automobile.
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- 8 (2) In all searches authorized by this section, the principal or
- 9 designee shall accompany the officer(s) in conducting such
- 10 searches.

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12 **A. Child Protective Agency Contacts**

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14 1. Duty to Report Suspected Child Abuse and Neglect

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16 Pursuant to Section 32-1-15 NMSA 1978, it is the duty of any school

17 nurse and school teacher or administrator who knows or suspects that a

18 child is or has been abused or neglected upon penalty of fine to report this

19 information immediately to either (1) the criminal prosecution division of

20 the district attorney's office, (2) the county social services office of

21 Children, Youth, and Families Department, or (3) the juvenile probation

22 services office of the local district court. School employees and officials

23 shall cooperate with investigators of the above-named agencies

24 investigating suspected instances of child abuse and neglect, subject to the

25 safeguards and procedures provided by this policy.

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28 2. Investigations of Child Abuse and Neglect

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30 ***Verification, Documentation, and Parental Notification Requirements:***

31 Investigators employed by public agencies authorized to investigate child

32 abuse, including those seeking to remove students from school for

33 purposes of maintaining protective custody as part of a child-abuse

34 investigation, are subject to the Verification, Documentation, and Parental

35 Notification Procedures set for in Section A, **except:**

- 36
- 37 a. In observing the Verification, Documentation, and Parental
- 38 Notification Procedures, the school principal or designee
- 39 shall determine from the investigator whether it is
- 40 appropriate to notify the parent or guardian of the requested
- 41 interview or the removal of the student from the school.
- 42 The principal or another school employee shall be present
- 43 during all investigator-student interaction on school
- 44 property.

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5 b. In the event the investigator directs that such notice not be
6 given, as in cases where a parent or close family member is
7 the suspected abuser, the principal shall record such
8 direction as part of the Verification, Documentation, and
9 Parental Notification Procedures.

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11 c. In the event the investigator directs that the school principal
12 or designee not be present during an interview with a
13 student, such directive shall also be recorded as part of the
14 Verification, Documentation and Parental Notification
15 Procedures. Law enforcement officers or investigators from
16 the Children Youth and Families Department shall have
17 access to any records pertaining to a complaint of child
18 abuse or neglect in accordance with NMSA 1978 Section
19 32A-4-3F.
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- 39 **References: Children’s Code, Section 32-1-27, NMSA 1978**
40 **Section 32-1-15 NMSA 1978, Section 32A-4-3F, NMSA 1978**
41 **See Policies: 339 Searches of Students**
42 **375 Release of Students**
43 **293 Reporting Child Abuse and Neglect**