

PROCESSING SUBPOENAS

The school district has the obligation to provide and protect a learning environment that is free of disruption. To maintain that environment, the Board of Education approves the following protocol for Court ordered subpoenas:

1. Subpoenas served on the District for student records shall provide a period of five (5) business days for the district to locate copy and certify files or records and deliver to court. Subpoenas that require an immediate response shall be reviewed by the School District's attorney, who shall determine the necessity for an immediate response by the school and/or the school district's attorney shall take such action to suppress subpoena or obtain a reasonable extension. Subpoenas for records shall include the specific name of the record that is requested.
2. All subpoenas served on the District or district personnel shall be served at or through the Office of the Superintendent of Schools during regular business hours.
3. Subpoenas served on employees or students for matters not relating to school shall be served outside of school. All attempts to serve a subpoena on an employee or student while in school must be conducted through the building administrator after first contacting the principal to determine if such action will disrupt the learning environment. The building principal may approve the serving of the subpoena before school has started, or after school is dismissed, or if neither is possible, then during an unscheduled or free period of the employee or student, providing that it does not disrupt the learning environment. All such subpoenas shall be presented to the individual in the privacy of the principal's office.
4. Subpoenas seeking personal appearance of school employees shall be served no less than five (5) days before scheduled court appearance, thus allowing school employees to make suitable arrangements for substitutes, lesson plans, et cetera.
5. The District believes that the Courts recognize the importance of a disruption-free learning environment and requests that every reasonable consideration from the Court and attorneys to schedule court-required appearance to a subpoena after school has been dismissed. The District understands that this may not always be possible, so communication with the school district attorney is encouraged to facilitate scheduling.

*First review by the Board of Education 12/10/01*

*Second review by the Board of Education 12/17/01*

**ADOPTED BY THE BOARD OF EDUCATION 12/17/01**