

INTERROGATION OF STUDENTS BY OUTSIDE AGENCIES

The Board is committed to protecting students from harm that may or may not be directly associated with the school environment but also recognizes its responsibility to cooperate with law enforcement and State's child protection agency.

Such agencies should be encouraged to investigate alleged violations of the law off school property if at all possible. An investigation can take place immediately on school property at the request of the building administrator if the alleged violation of law took place on school property or in emergency situations.

When police or other authorities arrive at the school and wish to interview a student or investigate an alleged violation of law, they must contact the building administrator indicating the nature of their investigation and their desire to question a student or students. Regardless of age, parents/guardians shall be notified if a student is living at home or a dependent of the parent/guardian.

Before the student(s) is (are) questioned as a witness to or suspect in an alleged violation of law, the building administrator shall attempt to contact the parent/guardian prior to questioning. If it is related to school business the building administrator shall remain in the room during the questioning. If the parent/guardian cannot be reached, the questioning cannot occur on school property.

If an agency investigating child abuse/neglect indicates that the parent/guardian or a family member is believed to be the perpetrator, the building administrator will not contact either parent/guardian prior to the interview if so requested by the investigator.

If the student is a witness in a child abuse/neglect investigation in which the witness' parent/guardian is not the believed perpetrator, the building administrator shall contact the parent/guardian prior to questioning. If the parent/guardian cannot be reached, the questioning cannot occur on school property.

All attempts to notify the parents/guardians should be documented.

When an authorized law enforcement officer or child protection agency removes a student, the building administrator shall record the name of the investigator, the public agency involved and the destination of the student if possible. S/He shall notify the Assistant Superintendent for Administrative Services. The parent/guardian will also be notified unless otherwise directed in writing by law enforcement or State's child protection agency.

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No school official may release personally identifiable student information in education records to the police or children's services agency without prior written permission of the parent/guardian, a lawfully-issued subpoena, or a court order, unless it is an emergency situation involving the health or safety of the involved student or other students. Proper directory information may be disclosed upon request, unless a parent/guardian has filed a non-disclosure for information, (See Board Policy 8330).

M.C.L.A. 722.627
Attorney General's Opinion No. 6869, September 6, 1995

Adopted January 21, 2008