

**SCHOOL DISTRICT OF PITTSVILLE
BOARD POLICY**

STUDENTS

STUDENT RIGHTS AND RESPONSIBILITIES

INTERROGATIONS/INTERVIEWS WITH NON-SCHOOL PERSONNEL

445

A. General Guidelines

1. All non-school personnel who have requested and gained permission to have contact with a student are required to report to the building principal's office (or his/her designee) before meeting with that student.
2. When law enforcement personnel are involved, they shall be as inconspicuous as possible. Summoning a student from a class or an activity shall be done by the building principal or his/her designee.
3. Summons to court and legal papers shall be served to students outside of school hours, unless such action follows point B-1 below.
4. Social workers and counselors from agencies outside the school shall counsel with a student only upon receipt of permission to do so by either the parent/guardian or agency holding legal custody. However, a County Department of Social Services investigating potential child abuse and neglect may, in the exercise of professional judgment, contact, observe, or interview a student, at school, without the permission of the student's parent/guardian.
5. Student records and other information shall be made available to non-school personnel in accordance with state law and established procedures. Law enforcement officer and court records may or shall be provided to the district in accordance with state law.

B. Interviewing a Student at School

1. Non-school personnel shall make every effort to conduct their business with students at a time other than during normal school hours. In the event it becomes necessary, and if it is in the best interest of the student for non-school personnel to see him/her during the school day, interviews should be coordinated with class schedules. Exam periods shall not be interrupted except in emergencies. The decision as to whether or not to grant an interview, and the time and place of such interview, shall be determined by the building principal or his/her designee.
2. Except as provided for in paragraphs B-3, B-4 and C-3 below, prior to requesting school permission to interview a student, law enforcement personnel or the principal or designee shall call the student's parent/guardian and obtain his/her permission for the interview. The building principal or designee shall be present during the interview. The parent/guardian shall also be present if so requested.
 - a. If the parent/guardian refuses permission, law enforcement personnel shall not question the student.
 - b. If the parent/guardian cannot be reached, law enforcement personnel shall not talk to the student except in an emergency situation. The determination of what constitutes an emergency is left to the

judgment of law enforcement personnel and the building principal or designee. The building principal or designee shall make the final determination.

Examples of an emergency situation would include: (1) reliable information that a student is going to run away; or, (2) reliable information that a student may be engaging in an activity that may be hazardous to himself/herself or others.

3. Law enforcement interviews occurring without parent/guardian permission shall occur in the presence of or with the knowledge of the building principal or his/her designee. Only the following are authorized:
 - a. Interviews where the student seeks out law enforcement personnel and request an interview in private. Permission for the interview may be granted by the building principal or his/her designee.
 - b. Interviews where the student has been referred to social services by a school employee or by other appropriate sources for protective services in accordance with Board policy and/or state law including, but not limited to, child abuse/neglect and truancy. In these cases, the student may be interviewed with the knowledge of the building principal or his/her designee.
 - c. Interviews where there is a court order authorizing a student interview at school. The person authorized by such court order shall inform the building principal or his/her designee if he/she wishes to conduct the interview with the student in private.
4. Adult students shall be questioned or interviewed by law enforcement personnel in accordance with the guidelines set forth in this rule. However, the parent/guardian of an adult student need not be notified by law enforcement personnel requesting the interview. Prior to any such interview of an adult student, the building principal or his/her designee shall be informed as to whether or not the student's parent/guardian has been informed and whether or not parent/guardian permission for the interview has been obtained. If parent/guardian permission has not been obtained, the building principal or his/her designee, at his/her discretion, may require that parent/guardian permission be obtained before law enforcement personnel are allowed to proceed with the questioning of the adult student.
5. In other situations involving questioning of students by non-school personnel not covered above, the building principal or designee shall exercise appropriate judgment pertaining to each individual situation. He/she shall make every effort to cooperate with non-school personnel while maintaining the rights of the student.
6. When non-school personnel work with students with disabilities, they shall be apprised of possible limitations regarding factors such as communication and comprehension. The building principal or his/her designee shall be responsible for providing this information to the non-school personnel.

C. Removing a Student from School

1. Absent an emergency situation, law enforcement personnel shall not remove a student from school while the student is properly in attendance without the express permission of the student's parent/guardian, unless a warrant for the student's arrest or an official order of a judge of a children's

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court is presented, as provided for in section 48.19 of the state statutes and/or emergency detention requirements under section 51.15 of the state statutes are met.

2. Social workers and counselors from agencies other than the school shall not remove a student from school while the student is properly in attendance without the written permission of the student's parent/guardian, or unless the student is under the legal/physical custody of the agency represented. The student shall not be released from school to another agency until the legal/physical custodian provides the legal authority indicating the right to remove the student. A County Department of Social Services investigating child abuse or neglect may take a student into protective custody and shall notify the parent/guardian of the student when deemed appropriate.
3. If a student is in a state of emergency and is removed from school by a law enforcement officer or other authorized person as provided in section 51.15 of the state statutes, a copy of the order permitting the student's removal and placement in emergency detention shall be left with the building principal or his/her designee. If the student is to be kept out of school, the law enforcement officer or other authorized person shall notify the building principal or designee to that effect.

Updated: August 12, 2013