

NICASIO SCHOOL DISTRICT

Board Policy

Series 5000: Students

AR 5145.11

PROTOCOL FOR INTERVIEWS OF STUDENTS BY CHILD PROTECTIVE SERVICES AND LAW ENFORCEMENT AGENCIES

As a matter of law, Child Protective Services (CPS) and other local law enforcement agencies have authority to interview students on campus without parent approval, without parental presence, and without a school staff person being present and to prohibit the principal from contacting the parents before, at the time of or after the interview. Both agencies have staff who are sworn officers of the court.

When CPS or law enforcement interviewers arrive on campus to interview a student, the principal shall first ask to see an agency-issued identification card to confirm the identity of the interviewer, make a copy of the identification card, obtain the interviewer's contact information, and shall ask whether or not the interviewer will permit a school staff person to be present at the interview. If the principal has any doubt about the identification of the interviewer, the principal shall contact CPS or applicable law enforcement agency. The principal shall make available a confidential space for the interview to take place.

If a school staff person is permitted to be present at the interview, the school protocol is to proactively use all possible efforts to have a school staff person present. The principal shall remain in the room when the student is asked if he/she would like someone from the school to be present during the interview. The principal will make sure that the student understands the request to have someone present while an interview is taking place, and shall tell the student that a school staff person will remain with the student unless the student affirmatively states that he/she does not want a school staff person to be present.

If a school staff member is to be present for the interview, the school staff member will act as an advocate for the student. Specifically, the school staff member will make sure that the student understands the questions and the answers to the questions are understood by the interviewer. If necessary, the school staff member will begin the interview process with conversation to make the student feel comfortable.

Following the interview, the principal will confirm to the interviewer that the principal will contact parents, let them know the interview took place on school grounds, and provide them with the name and contact information of the interviewer.

Unless prohibited from doing so by the interviewer, the principal will then contact one or both parents at the earliest opportunity to inform them of the interview. It is preferable that this contact be made in person or by phone. Voicemail should not be used except as a last resort and then only if the principal can verify by the content of the answering message that the phone number is that of the parents. For reasons of confidentiality, the contact should not be made by email or, unless it is impossible to reach the parents any other way, in writing. If written contact is necessary, the principal shall personally write and mail the letter.

The principal and any school staff person involved in the interview in any way will keep all communications on the matter confidential.