STUDENT INTERROGATION

A. When law enforcement 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.

B. Investigation of Child Abuse/Neglect Under the Child Protection Act by a Public Children’s Service Agency or Law Enforcement Agency

1. An official of a public children’s service agency or law enforcement agency may interview a student on school property during school hours in order to investigate a claim of child abuse/neglect involving such student or a member of the student’s family. If neither the student nor a member of his/her family is the subject of the child abuse/neglect investigation, such agency shall be encouraged to contact the student during non-school hours and investigate the matter off school property, if at all possible.

2. The building administrator shall attempt to contact the parent prior to questioning, unless the investigator specifically requests that s/he not make such contact due to potential impact on the investigation. The administrator shall notify the superintendent of the presence of the authorities.

C. Investigations of Violations of Law by Law Enforcement Agencies

1. Law enforcement agencies investigating complaints other than under the Child Protection Act should contact a student during non-school hours and investigate alleged violations of the law off school property, if at all possible. An investigation can take place immediately on school property during school hours at the request of the building administrator if the alleged violation of law took place on school property, involves other situations effecting school safety or in emergency situations.

2. Before the students(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 prior to questioning, notify the superintendent, and shall remain with the student during the questioning unless compelling reasons for exclusion are provided by the law enforcement agency.
D. Notification and Release of Records

1. Attempts to notify the parents regarding investigations of child abuse/neglect and other law enforcement investigations shall be documented.

2. When an authorized law enforcement officer or the state’s children’s service agency removes a student, the building administrator shall also notify the parent(s) and the superintendent.

3. No school official may release personally identifiable student information in education records to the police or the state’s children’s service agency without prior permission of the parent, a lawfully-issued subpoena, a court order or a health or safety emergency.

LEGAL CITATION: MCLA 722.627; Attorney General Opinion No. 6869, 1995; 34 CFR 99.36

ADMINISTRATIVE REGULATION

Adopted: February 19, 2008
Amended: