

INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

I. PURPOSE

There are occasions in which persons other than Lakes International Language Academy (the “School”) officials and employees find it necessary to speak with a student during the school day. Student safety and disruption of the educational program is of concern to the School. The purpose of this policy is to establish the procedures for access to students by authorized individuals during the school day.

II. GENERAL STATEMENT OF POLICY

A. Generally, students may not be interviewed during the school day by persons other than a student’s parents, the School’s officials, employees and/or agents, except as otherwise provided by law and/or this policy.

B. Requests from law enforcement officers and those other than a student’s parents, the School officials, employees and/or agents to interview students shall be made through the principal’s office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Prior to granting a request, the principal shall attempt to contact the student’s parents to inform them of the request, except where otherwise prohibited by law.

III. INTERVIEWS CONDUCTED UNDER THE MALTREATMENT OF MINORS ACT

A. In the case of an investigation pursuant to the Maltreatment of Minors Act, Minn. Stat. § 626.556, Subd. 10, a local welfare agency, the agency responsible for investigating the report, and a local law enforcement agency may interview, without parental consent, an alleged victim and any minors who currently reside with or who have resided with the alleged perpetrator. The interview may take place at school and during school hours. The School officials will work with the local welfare agency, the agency responsible for investigating the report, or law enforcement agency to select a place appropriate for the interview. The interview may take place outside the presence of the perpetrator or parent, legal custodian, guardian, or the School official.

B. If the interview took place or is to take place on the School’s property, an order of the juvenile court pursuant to Minn. Stat. § 626.556, Subd. 10 (c) may specify that the School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on the School property and/or any other related information regarding the interview that may be a part of the child’s record. The School

official must receive a copy of the order from the local welfare or law enforcement agency.

C. When the local welfare agency, local law enforcement agency, or agency responsible for assessing or investigating a report of maltreatment determines that an interview should take place on the School's property, the School officials must receive written notification of intent to interview the child on the School property prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on the School property. Where the interviews are conducted by the local welfare agency, the notification must be signed by the chair of the local social services agency or the chair's designee. The notification is private educational data on the student. The School officials may not disclose to the parent, legal custodian or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded, unless a school employee or agent is alleged to have maltreated the child. Until the School officials receive said notification, all inquiries regarding the nature of the investigation or assessment should be directed to the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any disclosure regarding the nature of the assessment or investigation.

D. The School officials shall have discretion to reasonably schedule the time, place, and manner of an interview by a local welfare or local law enforcement agency on the School premises. However, where the alleged perpetrator is believed to be an official or employee of the School, the local welfare or local law enforcement agency will have discretion to determine where the interview will be held. The interview must be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the School officials and the local welfare or law enforcement agency. However, the School officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. The School officials will make every effort to reduce the disruption to the educational program of the child, other students, or school staff when an interview is conducted on the School premises.

E. Students shall not be taken from the School property without the consent of the principal and without proper warrant.

**INTERROGATION OF STUDENTS BY NON-SCHOOL PERSONNEL UNDER
THE MALTREATMENT OF MINORS ACT**

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Legal References:

Minn. Stat. § 13.32 (Educational Data) Minn. Stat. § 626.556, Subd. 10(c) and
(d) (Duties of Local Welfare Agency and Local Law Enforcement Agency
Upon Receipt of a Report)

Adopted: 06/15/2004

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