

INDEPENDENT SCHOOL DISTRICT 283

SECTION/FILE 519 **DATE OF ADOPTION** 03/24/97
REVISED 09/25/06, 02/24/20, 06/13/23

TITLE Interviews of Students by Outside Agencies

I. PURPOSE

The purpose of this policy is to establish the procedures for access to students by non-school authorities during the school day.

II. GENERAL STATEMENT OF POLICY

St. Louis Park Public Schools is committed to protecting the rights of all students and recognizes that the school-to-prison pipeline has caused deep harm to BIPOC communities. In support of the District's work to create racially equitable systems, it is the policy of St. Louis Park Public Schools that outside authorities may not interview students at school, except as otherwise provided by law and/or this policy. Additionally, it is the policy of St. Louis Park Public Schools that school staff will notify parent(s)/guardian(s) of any interview or attempted interview by an outside authority with their child, unless prohibited by law.

III. INTERVIEWS BY AUTHORITIES RESPONSIBLE FOR INVESTIGATING MALTREATMENT OF MINORS

- A. In the case of an investigation pursuant to the Reporting of Maltreatment of Minors Act, Minnesota Statutes Chapter 260E, a local welfare agency, the agency responsible for investigating the report, and a local law enforcement agency may interview, without parental/legal guardian consent, an alleged victim and any minors who currently reside with or who have resided with the person alleged to have engaged in maltreatment of a child. The interview may take place at school and during school hours. School district 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 school district official.
- B. If the interview took place or is to take place on school district property, an order of the juvenile court pursuant to Minnesota Statutes Chapter 260E may specify that school district officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school district property and/or any other related information regarding the interview that may be a part of the child's record. The school district official must receive a copy of the order from the local welfare or law enforcement agency.
- C. Pursuant to Minnesota Statutes Chapter 260E.22, subd. 7(a), 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 school district property, school district officials must receive written notification of intent to interview the child on school district 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 school district 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. School district 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 school district 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. Pursuant to Minn. Stat. § 260E.22, subd. 7(b), the time, place, and manner of the interview on school premises shall be within the discretion of school officials, except where the person alleged to have engaged in maltreatment of a child is believed to be a school official or employee. The local welfare agency or local law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable, and the interview shall 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 agency or local law enforcement agency. School district 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 school district premises.

IV. INTERVIEWS BY LAW ENFORCEMENT AUTHORITIES RESPONSIBLE FOR INVESTIGATING DELINQUENCY OR CRIMINAL MATTERS

- A. Law enforcement personnel and school resource officers are not authorized to interview students at school for purposes of investigating delinquency or criminal matters.
- B. An exception to this prohibition on interviewing students at school will only be granted in emergency situations involving the threat of immediate harm to a person or persons.
- C. If a request to interview a student is made, it shall be the responsibility of the principal to determine whether the request meets the requirements of the exception in paragraph V(B). If the principal has any questions regarding law enforcement access to students, they shall contact the superintendent.
- D. Prior to granting any request for access to interview a student under this section, the principal shall attempt to contact the student's parents / guardian to inform them of the request, except where otherwise prohibited by law, and document the contact.
- E. If a request to interview a student is granted by the principal, the principal shall take all practical measures to ensure that the interview is conducted in such a way as to avoid teachers and other students being made aware of the interview.
- F. If a request to interview a student is made and denied by the principal, the principal shall attempt to contact the student's parents to inform them of the request, except where

otherwise prohibited by law, and document the contact.

V. ARRESTS OF STUDENTS AT SCHOOL

- A. When a law enforcement officer has a warrant for or probable cause to arrest a student they must be permitted to arrest the student.
- B. If a law enforcement officer seeks to arrest a student at school, school staff must contact the law enforcement agency for verification of the officer's name and status before releasing a student whenever the officer is unknown to the school.
- C. Whenever possible the arrest should be conducted in an office out of the view of the other students. If this is not possible, all attempts must be made to avoid arresting the student in front of teachers and peers and to avoid disrupting the educational program of the school.
- D. Before removing a student from the school in a non-school related incident, police officers shall leave documentation for the removal that will be kept on file with the school office.
- E. If a student is arrested at school, the principal must attempt to notify the parents/guardian immediately using all available contact information and document the contact.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 260E (Reporting of Maltreatment of Minors)

Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)