

INTERROGATIONS BY PUBLIC OFFICIALS

Law Enforcement Officials

At the Request of School Officials -- When the school principal or designee has evidence or reasonable cause to believe that a crime has been committed on campus by one or more students, law enforcement officials, to include juvenile authorities, may be requested to come to the school to investigate the incident. Such investigations may include interrogation of students. In the event a student is to be interrogated, the school principal or designee will make every effort to notify the parent or guardian of any student to be so interrogated. If the parent is not present, the principal or designee will remain present during the interrogation.

At the Request of Law Enforcement Officials-- Interrogations:

When law enforcement officers make it known that they wish to talk to a student while under supervision of the school, the following steps will be taken:

1. The student will be called to the office of the principal.
2. The principal will attempt to notify the student's parent or guardian by telephone of the situation.
3. If the principal is able to contact the student's parent or guardian, upon consultation with the parents and student, the principal will determine whether or not the student is to be questioned by the law enforcement officer while under the jurisdiction of the school, and under what circumstances, i.e. in the presence of the school principal or in the presence of the parent or guardian, etc.
4. If the principal is unable to contact the student's parent or guardian, the principal will suggest* to the law enforcement official that questioning should be conducted while the student is at home and not under the supervision of the school.

*Nonetheless, the principal must allow the parent(s) or guardian(s) to be present during such interview where the parent(s) or guardian(s) is immediately able to attend or able to attend within a reasonable time. In those instances where a parent(s) or guardian(s) cannot be present within a reasonable time, the principal must allow interviews of a student by law enforcement officials to proceed in the absence of the parent(s) or guardian(s) and should remain present.

Arrest Warrants:

In case an arrest warrant is presented by law enforcement officers, the school principal or designee will make every effort to notify the parent or guardian of the student in question prior to the student's removal from the school premises.

Department of Human Resources Officials

At the Request of School Officials -- the school principal or designee may request personnel from the Department of Human Resources to come to the school to assist, provided at least one of the following criteria is met:

1. The student is an active client with the Department.
2. The student is in the legal custody of the Department.
3. The school principal or designee believes that the Department can provide services that will help the student.

The school principal or designee will file a report to the Department of Human Resources when there is evidence of child abuse/neglect or suspected child abuse/neglect.

At the Request of Human Services Officials -- When Department of Human Services Officials make it known they wish to talk with a student while under the supervision of the school, the principal or designee shall seek to determine if, 1) the visit relates to child abuse/neglect or 2) the Department has legal custody of the student. If so, the Human Services Official will be permitted to talk with the student. If it is determined that the visit does not relate to child abuse/neglect or matters pertaining to rights granted to a custodian, the principal or designee shall advise the Human Services Official that any talks or questioning should be conducted while the student is at home. The principal or his/her designee may also choose to participate in such conferences.

SOURCE: Athens City Board of Education, Athens, AL
ADOPTED: Nov. 5, 1978; REVISED: Jun. 16, 1994; REVISED: May 21, 2009
LEGAL REF: Ala. Code § 16-1-24.1 (1975); Ala. Code § 16-11-9 (1975).