

Title: Authorized Interviews of Students by Non-School Employees

Interviews by Law Enforcement If law enforcement officers or other officials of the court request an interview with a student for actions which are alleged to have occurred in a non-school related setting, an attempt shall be made to contact the student's parents or legal guardian and to request one of them to be present during the interview. The building administrator may attend at his/her discretion, unless directed otherwise by the parent/guardian. If the parent is not available and does not authorize the building administrator to be present during the interview, the interview will not occur. No student may be taken from school by law enforcement officers or other officials of the court without a court order, an arrest, or parent/guardian consent, or as otherwise provided by law.

The building administrator may contact law enforcement officers to seek investigation, intervention, interview or arrest of a student when the administrator has reason to believe that a student has engaged in criminal behavior in a school related setting or has otherwise engaged in conduct that may interfere with the safe and orderly operation of the school. The building administrator shall be present during questioning. The decision on how to proceed regarding any criminal action shall rest with law enforcement; however, such decision does not preclude school officials from taking disciplinary action for a student's violation of school policy or rules. Every reasonable effort shall be made by the school administrator to notify parents or guardians in a timely fashion when the school initiates such contact with law enforcement.

Interviews Pertaining to Child Abuse Investigations A child abuse investigator from the Department of Human Services or an officer of the law assigned to a child abuse case may interview a child at school without the notification of a parent in accordance with law. A child may be taken into custody by a peace officer for juvenile court officer as provided by law. Investigations involving allegations of child abuse by school personnel shall be conducted in accordance with applicable law and school policies/procedures.

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Interviews by School Resource Officers Law enforcement officials who are assigned to schools as police resource officers may interview students about school-related incidents for the purpose of enforcing school rules on the same basis as other school staff as outlined in the District Code of Conduct. Interviews conducted by police resource officers for law enforcement purposes are governed by the rules and regulations of the respective law enforcement agencies.

The duties of school resource officers assigned to schools shall be as provided for in the contract between the Council Bluffs Community School District and the City of Council Bluffs.

Any individual requesting an authorized interview with a student must be required to provide proper identification.

Cross References:

Policy 512 - Code of Conduct

Legal References:

Iowa Code Sections 279.8, 232.71B,
232.78-79

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