INTERVIEWS AND INTERROGATIONS OF STUDENTS ON SCHOOL PREMISES

Although the district values its relationships with law enforcement, the Department of Children, Youth, and Families (DCYF) and the county health department, to minimize interruption of the instructional program, the district discourages interviews and interrogations of students on school premises. As a general rule, interviews and interrogations by any agency, including law enforcement, DSHS, and the county health department(s) should take place at the agency or the student's home, rather than school premises.

However, there are limited circumstances when an interview of students at school is warranted, for example school-initiated investigations, child abuse investigations, and /or serious crime investigations. When an onsite interview or interrogation is warranted by the circumstances, the district will utilize the procedures and protocols associated with this policy, which were developed in cooperation with these agencies and ensure that students and parent(s)/guardian(s) are afforded all rights under law. The interviews of students as witnesses, victims, and suspects are treated differently.

In contrast to the limited circumstances noted above, the work of immigration agents does not overlap with the work or duties of the district. This is because the district's obligation to educate the children residing within its borders is not diminished by the children or parents' immigration status. The district supports the federal immigration enforcement policy that directs immigration agents to avoid questioning and arrests at sensitive locations, including schools. Therefore, staff shall not grant information or access to immigration agents unless/until the district Superintendent and/or General Counsel determine the request complies with *Plyler v. Doe* and other applicable laws according to the criteria in the associated procedure.

Cross References:

4310 - District Relationships with Law Enforcement and other Government Agencies

3414 - Infectious Diseases

3231 - Student Records

3432 - Emergencies

3124 - Removal-Release of Student During School Hours

Legal References:

RCW 28A.605.005 Parental rights

RCW 28A.635.020 Willfully disobeying school administrative personnel or refusing to leave public property, violations, when—Penalty.

RCW 26.44.115 Child taken into custody under court order—Information to parents.

RCW 26.44.110 Information about rights—Custody without court order—Written statement required—Contents.

RCW 26.44.050 Abuse or neglect of child—Duty of law enforcement agency or department of children, youth, and families—Taking child into custody without court order, when

RCW 26.44.030 Reports—Duty and authority to make—Duty of receiving agency—Duty to notify—Case planning and consultation—Penalty for unauthorized exchange of information—Filing dependency petitions—Investigations—Interviews of children—Records—Risk assessment process.

Management Resources:

2018 - December 2018 - December Policy Issue

2013 - July Issue

Policy News, April 2001, Compliance Office Provides FERPA Update

Policy News, February 1998, FERPA limits student records access

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