

STUDENTS
BOARD POLICY 519
St. Cloud Area School District 742
St. Cloud, Minnesota

Adopted: April 26, 2001
Revised: January 12, 2004
Revised: December 7, 2016
Reviewed/No Change: March 2018
Reviewed/No Change: June 2021

519 INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

I. PURPOSE

The purpose of this policy is to identify the occasions in which persons other than school district 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 district. 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, school district officials, employees and/or agents, except as otherwise provided by law and/or this policy.
- B. Requests from law enforcement officers, except liaison officers (see letter D.) and those other than a student's parents, school district 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. The principal may designate an alternate to review these requests in his or her absence. Any reference to "principal" in the following paragraphs shall include the principal's designee. 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.
- C. Students may be interviewed by medical practitioners or police officers, if such interviews are for the purpose of protecting their health or safety, or the health and safety of other individuals. In such emergency situations, the principal shall attempt to notify the parent, if practicable, or within a reasonable time following the removal or interview.
- D. When police liaisons interact with students to seek information or conduct educational interventions, parental notification and consent is not required. For situations other than these listed, parents must be notified and consent given to

conduct an interview whenever practicable.

III. REMOVAL OF STUDENTS

- A. Students shall not be taken from school district property without the consent of the principal and without proper warrant, except as authorized under the Maltreatment of Minors Act. The removing authority has the discretion to determine whether school personnel may accompany the student.
- B. Students may be removed because of emergency evacuation due to fire or other catastrophic events or due to medical emergency. In such emergency situations the principal shall attempt to notify the parent if practical.

IV. 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. 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 Minn. Stat. § 626.556, Subd. 10 (c) 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. 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. School district 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 school district premises. However, where the alleged perpetrator is believed to be a school district official or employee, 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 district officials and the local welfare or law enforcement agency. However, school district officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. 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.
- E. Students shall not be taken from school district property without the consent of the principal and without proper warrant.

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)

Cross References: Board Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Board Policy 515 (Protection and Privacy of Student Records)

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