

QUESTIONING AND APPREHENSION

Interviewing a Student

1. When a student is to be interviewed, for other than an investigation of reported child abuse, neglect, or sexual abuse, the school administrator or designee may, when feasible, on behalf of the welfare of the student, attend the interview. The school administrator/designee shall notify the parent of such interview. When feasible, an attempt to communicate with parents will be made before the end of the school day or as soon as possible.
2. The district will provide training for administrators to facilitate the interactions of students and law enforcement during interviews.
3. In the event a student is to be interviewed by a law enforcement officer for the purpose of conducting an investigation of reported child abuse, neglect, or sexual abuse, the school administrator's role is as follows:
 - a. Prior to the interview, the school administrator or designee shall:
 - (1) Make arrangements for such interview
 - (2) Provide a suitable location for the interview
 - (3) Counsel the student to assure the student is at ease before and after the interview
 - (4) Assure the Child Protective Agency representative* has informed the student of his/her right to the option of being interviewed privately or he/she may select a member of the staff, a certificated or classified employee, or a volunteer aide, to be present at the interview. The purpose of the staff member's presence at the interview is to lend support to the student and enable him/her to be as comfortable as possible
 - (5) Inform the selected staff member that he/she may elect not to be present
 - (6) Ensure that the selected staff member is informed regarding the confidentiality of the interview and that facts and circumstances of the interview are not to be discussed
 - (7) Inform the employee that he/she is not to participate in the interview

*A representative of a child protective agency is defined under existing law as including a member of the police or sheriff's department.

QUESTIONING AND APPREHENSION (continued)

Questioning on School Grounds

The school shall keep a record of any interviews of students by law officers on school premises. Such records shall include the date and time, name and identifying number of the officer, the agency employing the officer and his/her official capacity, the time when he/she arrived and left, the fact that the principal or designee was or was not present during the interview, the reason for the questioning and/or release, and any other pertinent information.

Apprehension

Police officers, officers of the juvenile court, and other authorized law enforcement officials have an absolute right to enter a school to take a student into custody or to make an arrest of a student.

If a minor student is removed from school into the custody of a peace officer, the principal or designee shall immediately notify the parent/guardian or responsible relative regarding the student's release and the place to which he/she is reportedly being taken, except when the minor has been taken into custody as a victim of suspected child abuse. (Education Code 48906)

The principal or designee shall record the time(s) of contact or attempted contact with the parent/guardian.

If the student is suspected of being a victim of child abuse, the Superintendent or designee shall give the telephone number and address of the student's parent/guardian to the law enforcement officer, and the officer then has the responsibility of immediately notifying the parent/guardian. (Education Code 48906)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

The Superintendent or designee shall immediately be notified of the student's removal. This initial verbal notice will be followed by a written report by the principal or designee and shall include the date and time of arrest, the identity, badge number and official capacity of the officer, and the reason for release.