

8460 STUDENT INTERVIEWS

Generally, students may not be interviewed during the school day or during school activities by persons other than parents and school district officials and employees. Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students shall be made through the principal's office. Any person seeking an interview with a student or students must present credentials and secure permission from the administrator. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. If the parent or legal guardian cannot attend the interview the building administrator or designee will be present.

School administration will be notified any time police, other than district assigned School Resource Officers (SROs), are on school grounds. All formal interviews with an individual student on school grounds and in school buildings will be conducted as discretely as possible, with the knowledge and assistance of the school administration. Informal conversations between a police officer and groups of students does not constitute a formal interview. Before custodial interviews, the police officer shall advise the student of his/her rights during the interview and confirm with the student that he/she understands these rights.

- Police officers and administration will confer prior to the interview of students on school premises or grounds. The police officer will determine whether the circumstances in each case are serious enough to require such a presence on school grounds.
- If, upon questioning relating to school matters, the principal or their designee has reason to believe that a crime has been committed they should cease questioning the student and refer the investigation to the police.
- School administration generally may sit in on all interviews conducted at school including abuse and neglect cases.
- Students will not be taken from school without the consent of the principal and without proper warrant when applicable.

Guidelines for Police Interview and Notification of Parents Prior to Interview Elementary Students

Prior to any interview of an elementary student who is the victim, witness, or complainant, (except in case of an abuse situation) the principal shall contact the parents or legal guardian unless otherwise instructed by the police officer in charge or DHHS representative. If the officer so requests, it shall become the officer's responsibility to communicate with the parents. Unless otherwise requested by the officer or DHHS representative, the principal or their designee shall sit in on the interview for the expressed purpose of providing emotional support for the elementary child. Students in elementary schools will not be interviewed without the notification of parent or guardian except in the case of serious emergency where the parent or a relative is the focus of the investigation or as otherwise provided by law.

Grades 6-12 Students

The police officer or DHHS representative will communicate with administration but shall ultimately be responsible for determining if, when, and how parents will be communicated with.

Interviews of Students in Schools Related to Abuse and Neglect

Any contact with parents in an abuse or neglect case will be made by DHHS or the Police.

Legal Reference: Neb. Statute 79-294
 NE. Rev. Stat. 43-248
 34 CFR Part 99 (Family Educational Rights and Privacy Act)

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