

The board of trustees of this district recognizes that cooperation with law enforcement agencies, including Department of Health and Welfare and the Juvenile Probation Department is essential for the protection of students, maintenance of a safe environment in this district's schools, and the safeguard of all district property.

The district will also cooperate with other state and local public agencies insofar as those agencies' responsibilities and duties relate to public school students.

INTERVIEWING STUDENTS

This district will allow law enforcement and health and welfare agents to interview students, relative to child protection or criminal investigations, at school facilities, during school hours, upon notice of the need for such interview. Upon receiving notice of the need for such interview and identification of the interviewer as a law enforcement agent, the superintendent or designee will provide a private room in which the interview(s) may be conducted. No school official or staff member will be present during the interview unless requested to do so by the law enforcement agent.

School officials will take no actions to delay or otherwise interfere with law enforcement's interview, removal into protective custody, or arrest of the student.

CONTACT OF SUSPECTED JUVENILE ABUSE VICTIMS

An [Officer/Deputy] should not involuntarily detain a juvenile suspected of being a victim of abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless:

- a) Exigent circumstances exist. [It will be incumbent upon the investigating [officer/deputy] to articulate the basis for any exigency in related reports.] For example:
 1. a reasonable belief that medical issues need to be addressed immediately, or
 2. it is reasonably believed that the child is or will be in danger of harm if the interview or physical exam is not immediately completed, or

- b) A court order or warrant has been issued.

In all circumstances in which a suspected child abuse victim is contacted, it will always be incumbent upon the investigating [officer/deputy] to articulate in the related reports, the overall basis for the contact and what, if any, exigent circumstances exist.

NOTIFICATION OF PARENTS

Law enforcement is not required to notify the parent that his/her student is being interviewed relative to a child protection investigation. School officials will not notify the parent regarding the fact that the student is being interviewed by law enforcement, unless given permission to do so by the law enforcement agent. In the event that a parent inquires regarding the interview, the school officials will refer the parent to law enforcement.



LEGAL REFERENCE:

Idaho Attorney General Opinion No. 93-2

ADOPTED: February 12, 2002

AMENDED: March 10, 2010