

Requests for Interviews on Campus

NOTE: In general, if a school cannot disclose pupil record information to a person, a school cannot confirm or deny a student's attendance to that person. In emergency situations (as determined by the school), the school can share information with appropriate persons in connection with an emergency if the knowledge of the information is necessary to protect the health or safety of a pupil or other persons (EC section 49076 (b) (1)). Necessary information might include confirmation the student is in attendance, parent/guardian contact information, and/or medical information if the child is being taken into custody.

Law enforcement: Can interview anyone regarding suspected child abuse/neglect investigation. Other interviews are permissible if investigating a crime and the disruption to instruction is minimized. In general, for suspected in-home child abuse/neglect or abduction/ kidnapping cases, the school should not contact the parent regarding the interview. However, the school should obtain the officer's name and contact information should the parent later contact the school about an interview. If a student is released from school to law enforcement, the school should take immediate steps to notify the parent unless the case is suspected child abuse/neglect or kidnapping/abducting (Education Code section 48906).

DCFS: Can interview anyone regarding suspected child abuse/neglect investigation. Other interviews are permissible if some documentation of link to child (e.g., minute order with worker and child's name) and the disruption to instruction is minimized.

Probation officers: interviews are permissible if some documentation of link to child (e.g., minute order with officer and child's name) and the disruption to instruction is minimized.

District Attorney/Public Defender Investigators: Permissible with a subpoena or parent/guardian consent or consent of adult employee and disruption to instruction/work is minimized.

Private investigators: Permissible with a subpoena or parent/guardian consent or consent of adult employee and disruption to instruction/work is minimized.

Board Rule 1204 INTERVIEWING OF STUDENTS

Rule Text: Upon presentation of proper identification, duly authorized representatives of law enforcement agencies having jurisdiction over the region in which the school concerned is located shall be allowed to interview students in the presence of the principal or a teacher. Police Officers of the City of Los Angeles and of other jurisdictions within the Los Angeles Unified School District, Los Angeles County Sheriff's Deputies, Los Angeles County Probation Officers, California State Police, Investigators for the Domestic Relations Court, agents of the California Youth Authority, and the Federal Bureau of Investigation will produce official identification cards. Special and honorary officers, honorary deputy sheriffs, etc., and members of the press, although carrying identification cards issued by law enforcement agencies, shall not be permitted to interview students at school; provided, however, that students may be interviewed by members of the press in connection with school activities, in the presence of and with the approval of the school principal or the Director of Public Information. Information regarding the identification of persons other than those mentioned above may be secured from the Student Attendance and Adjustment Services Branch. (See Board Rule 1421) (Adopted 2-11-57)

This **LAUSD Legal Brief** is for information only and does not constitute legal advice. Please contact the Office of the General Counsel to determine how this information may apply to your school's specific facts and circumstances."