

STUDENT INTERVIEWS AND INTERROGATIONS

A. Interviews of Student Witnesses or Victims by School Administrators

When a violation of Board policy or school rules occurs, the school principal or designee may question potential student victims and witnesses without prior consent of the parent, guardian, or legal custodian. If a school official is investigating a report of child abuse regarding the student and the suspected perpetrator is a member of the student's family, no contact with the student's family will be made.

B. Interrogations by School Administrators

In situations where a student is suspected of violating Board policies or school rules, the principal or designee may interrogate the suspected student if the school official has reasonable grounds to suspect that such a violation has occurred. ~~The school principal or designee may question potential student victims and witnesses without prior consent of the parent, guardian, or legal custodian.~~ The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, the student will have the opportunity to present his or her side of the story, orally or in writing to the proper school administrator.

C. Interviews of Students by Law Enforcement or DCYF Caseworkers in Certain Cases

Under RSA 169-C:38, law enforcement personnel and trained caseworkers of the New Hampshire Division of Human Services, Division of Children, Youth and Families (DCYF) shall have the right and authority to enter any school for the purpose of conducting an interview with a child, with or without the consent or notification of the parent or parents of such child, if there is reason to believe that the child has been:

- (a) Sexually molested.
- (b) Sexually exploited.
- (c) Intentionally physically injured so as to cause serious bodily injury.
- (d) Physically injured by other than accidental means so as to cause serious bodily injury.
- (e) A victim of a crime.
- (f) Abandoned.
- (g) Neglected.

For any interview conducted pursuant to this paragraph C, school officials shall provide a private space within the school suitable for a recorded interview. (The recordings are made and retained by law enforcement/DCYF, not the school.)

D. Other Interviews and Interrogations by Law Enforcement Officers

In other instances, law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstances exist, such interviews and interrogations are discouraged during the students' class time. The Principal and principal's designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process, while at the same time cooperating with law enforcement efforts. Accordingly, the Principal or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent

such disruption in cases of student interviews and interrogations. In the event of disagreement, the Principal or designee shall immediately contact the Superintendent of district legal counsel for assistance.

Interviews and Interrogations by Law Enforcement Officers

~~It is the desire of the school district to cooperate fully with all law enforcement agencies in the community. When law enforcement officials find it necessary to interview students during the day for non-school related investigations, they will contact the student only through the principal's office. All interviews with students at school, by officers of the law, will be conducted in a private office with principal or counselor present and any other staff as necessary. The officer of the law will notify the parent of the interview, prior to meeting with the student. In the event it becomes necessary to interview the student away from school, either the police or a member of the school staff will notify the parents of the time and place of the interview. Occasionally, a principal may find it necessary to call the police department for assistance in handling a pupil guilty of some serious offense committed at school. In such cases, the principal will either prior to or immediately after contacting the police, attempt to contact the student's parents/guardian. The School Resource Officer (SRO) routinely makes inquiries regarding discipline. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstance exist, such interviews and interrogations are discouraged during the students' class time. The principal and principal's designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process, while at the same time cooperating with law enforcement efforts.~~

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