



Adopted: May 15, 1996

EMID 6067 Board Policy 519

Revised: October 19, 2005; January, 2015

519 INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

I. PURPOSE

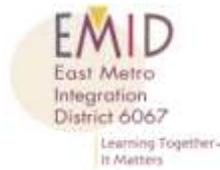
There are occasions in which persons other than EMID officials and employees find it necessary to speak with a student during an EMID event. Student safety and disruption of the program are of concern to EMID. The purpose of this policy is to establish the procedures for access to students by authorized individuals during EMID events.

II. GENERAL STATEMENT OF POLICY

- A. Generally, students may not be interviewed by persons other than a student's parents or guardians, EMID officials, employees and/or agents, except as otherwise provided by law and/or this policy.
- B. Requests from law enforcement officers, EMID personnel, and/or agents to interview students shall be made through the integration program supervisor's office. Upon receiving a request, the supervisor shall determine whether the request will be granted. Prior to granting a request, the supervisor shall attempt to contact the student's parents or guardians to inform them of the request, except where otherwise prohibited by law as identified in III below.

III. INTERVIEWS CONDUCTED UNDER THE MALTREATMENT OF MINORS ACT

- A. In the case of an investigation pursuant to the Maltreatment of Minors Act, Minn. Stat. § 626.556, Subd. 10, a local welfare agency, the agency responsible for investigating the report, and a local law enforcement agency may interview, without parental consent, an alleged victim and any minors who currently reside with or who have resided with the alleged perpetrator. The interview may take place at an EMID location and during an EMID event. EMID officials will work with the local welfare agency, the agency responsible for investigating the report, or law enforcement agency to select a place appropriate for the interview. The interview may take place outside the presence of the perpetrator or parent, legal custodian, guardian, or EMID official.
- B. If the interview took place or is to take place at an EMID program location, an order of the juvenile court pursuant to Minn. Stat. § 626.556, Subd. 10 (c) may



specify that EMID officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child or any other related information regarding the interview that may be a part of the child's record. The EMID official must receive a copy of the order from the local welfare or law enforcement agency.

- C. When the local welfare agency, local law enforcement agency, or the agency responsible for assessing or investigating the report determines that an interview should take place at an EMID location, EMID officials must receive written notification of intent to interview the child at an EMID location prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview at an EMID location. Where the interviews are conducted by the local welfare agency, the notification must be signed by the chair of the local social services agency or the chair's designee. The notification is private educational data on the student. EMID officials may not disclose to the parent, legal custodian or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded, unless an EMID employee or agent is alleged to have maltreated the child. Until EMID officials receive said notification, all inquiries regarding the nature of the investigation or assessment should be directed to the local welfare or law enforcement agency or the agency responsible for assessing or investigating the report of maltreatment. Said agency shall be solely responsible for any disclosure regarding the nature of the assessment or investigation.
- D. EMID officials shall have discretion to reasonably schedule the time, place, and manner of an interview by a local welfare or local law enforcement agency at an EMID location. However, where the alleged perpetrator is believed to be an EMID official or employee, the local welfare or local law enforcement agency will have discretion to determine where the interview will be held. The interview must be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the EMID officials and the local welfare or law enforcement agency. However, EMID officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. EMID officials will make every effort to reduce the disruption to the educational experience of the child, other students, or EMID staff when an interview is conducted at an EMID location.
- E. Students shall not be taken from an EMID program location without the consent of the supervisor and without proper warrant.



Legal Reference:

Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 626.556, Subd. 10(c) and (d)
(Duties of Local Welfare Agency and Local Law Enforcement Agency upon Receipt of a Report)

Cross Reference:

EMID Policy 103 (Complaints - Students, Employees, Parents, Other Persons)
EMID Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
EMID Policy 515 (Protection and Privacy of Pupil Records)