

**QUESTIONING OF STUDENTS BY NON-SCHOOL PERSONNEL**

The School District of Granton is committed to establishing a cooperative working relationship with all sanctioned agencies whose representatives need/wish to work with students. The district is also interested in ensuring that the rights of students and their parents are maintained while the student is a responsibility of the school district.

Therefore, the district has established procedures which will be adhered to when non-school personnel work with students. For the purpose of this policy, non-school personnel are individuals or agencies that are not employees of the Granton School District or at the time of the request to interview are not performing services for the District. These procedures shall be in effect during school hours which include those extended times for school approved activities.

All non-school personnel shall comply with the following procedures as they concern district students:

1. Non-school personnel shall make every effort to conduct their business with students at a time other than normal school hours. In the event it becomes necessary, and if it is in the best interest of students for non-school personnel to see them during the school day, interviews at the school should be coordinated with class schedules. Exam periods shall not be interrupted except in emergencies. The decision to grant an interview, and the time and place of such interview shall be determined by the building principal or designee.
2. All non-school personnel who have requested and gained permission to work with a student are required to report to the principal's office before meeting with that student.
3. When law enforcement personnel are involved, they shall be as inconspicuous as possible. Summoning student from classes shall be done by the principal or designee.
4. Except as provided for in paragraph 11 herein, prior to requesting school permission to interview a student, law enforcement personnel shall call or visit the parents and obtain their permission for the interview. A form will be signed by the officer or parent allowing interrogation and indicating that the parents have been contacted and have given consent to the interrogation. The officer shall request the parent to call the principal or designee advising him/her that they have given the officer permission to question the student. The school district reserves the right to allow school personnel to be present during interview if the principal or designee deems necessary.
  - A. If the parents refuse permission, non-school personnel shall not be allowed to question student on school grounds
  - B. If parents cannot be reached, law enforcement personnel shall not talk to a student except in an emergency situation. The determination of what constitutes an emergency is left to the judgment of law enforcement personnel and school administration. The school administration shall make the final determination. Examples of an emergency situation would include:
    1. Reliable information that a student is going to run away
    2. Reliable information that a student may be engaging in an activity that

may be hazardous to himself/herself or others

5. Non-school personnel shall not remove a student from the school building while the student is properly in attendance without the written permission of the parent or guardian, unless a warrant for the student's arrest or an official offer of a judge of a children's court is represented, or unless an officer or social worker is relying on their powers to take a child into custody as provided in Wisconsin Statute 48.19, 48.08(2), or emergency detention requirements under 51.15.
6. If a student is arrested or taken into custody, law enforcement officer(s) shall call to inform the student's parents. The school will try to notify parents after consulting with non-school personnel unless it is deemed necessary to not notify the parents. Parents shall be notified in advance of removal from school and advised to be at the place where the student is being taken. District officials shall not be required to provide legal counsel to any student since the appointment and/or retention of counsel is properly reserved for the student, parent(s), legal guardians, and the courts.
7. Social workers and counselors from agencies other than the school shall not remove a student from the school building while the student is properly in attendance without the written permission of the parent or guardian, or unless the student is under the legal/physical custody of the agency represented. The student shall not be released from school to another agency until the legal/physical custodian provides the legal authority indicating the right to remove the student. The only exception to the above will be a social worker exercising power under 48.08(2).
8. Social workers and counselors from agencies not acting as school personnel shall counsel with a student only upon receipt of permission to do so by either the parent/guardian or the agency holding legal custody.

A social worker from Clark County is allowed one visit at the student's request without informing the parents. (Other visits must be parent approved or allowed by law).

9. School records and other information shall be made available to non-school personnel according to the district's student records policy and procedures or as it pertains to Chapter 48.
10. If a student is in a state of emergency, as defined in Sec. 51.15, or 51.45 (intoxicated or incapacitated by alcohol) Wisconsin Statutes (that is that the student is mentally ill, drug dependent or developmentally disabled and there is a substantial probability of physical harm, either to himself or to herself or others), a law enforcement officer or other authorized person, has the right to remove the student from the school and place him/her in emergency detention, without seeking parental approval. The parents shall be notified after the student has been removed from school by the removing agency. The school will attempt to notify parents unless directed otherwise. When removing any student from school, the law enforcement officer or authorized person shall be governed by the provisions of Sec. 51.15, Wis. Stats. The officer shall notify the principal or designee, of the reasons for the removal of any student prior to any such removal and the principal, or designee, shall give prior approval to any such removal. However, if the situation warrants it, the law enforcement officer or other authorized person has the authority to remove the student under Sec. 51.15 without the approval of school authorities.

A copy of the order permitting the law enforcement officer to remove the student from the school and place him/her in emergency detention shall be left with the

principal or designee.

If the student is to be kept out of school, the law enforcement officer shall notify school officials to that effect.

11. In other situations involving questioning of students by non-school personnel not covered herein, the administrators within the district shall exercise appropriate judgment pertaining to each individual situation. They shall make every effort to cooperate with non-school personnel while maintaining the rights of students.

Adopted:	January 10, 1989
Revised:	May 12, 2014

Legal References:
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