

Interrogations of Students by Outside Agencies

A student may not be interviewed unless a NWBOCES supervisory staff member (Administrative Director, Residential Supervisor, Nurse Supervisor, Teacher) is present.

If police officers or other officials request an interview for any reason other than child abuse, child neglect or some crime involving the parents/guardian, an attempt will be made to contact the student's parents or legal guardian and to have one of them present (in person/FaceTime)during the interview.

If the topic of the interview is child abuse and the investigator determines that the child should be interviewed independently of his/her parents/guardian and NWBOCES is the most appropriate setting for the interview, NWBOCES officials will allow the investigation without contacting the parents/guardian. It will be the responsibility of the investigator in abuse cases to determine who will be present during the interview. NWBOCES may insist upon having a representative from NWBOCES present.

No student may be taken from NWBOCES without the consent of a NWBOCES supervisory staff person, and generally if this is being done by law enforcement authorities for purposes of a criminal conviction, a warrant will be required, although it will not be essential if the supervisory staff person determines it to be in the best interests of the school and the child. Generally the NWBOCES supervisory staff person should request that the officer make his/her arrest at another time and not on NWBOCES grounds. Regardless of whether the officer has a legal process document in his possession when the student is taken into custody, the NWBOCES supervisory staff person should make every effort to

8011b

inform the student's parents/guardian before the arrest is made or as soon thereafter if the student's parents/guardian were unavailable at the time of the arrest. Similarly, in all cases where police officers desire to conduct searches of students or student property, NWBOCES may request that such searches be conducted in a lawful manner with a proper warrant.

8011c

Adopted 9-28-05
Revised 7-23-14
Reviewed 7-25-18