

COMMUNITY RELATIONS

Working Relationships with Law Enforcement, the Department of Children, Youth and Families, and the Local Health Department

To minimize interruption to the instructional program, the district discourages interviews and interrogations of students on school premises. When the circumstances warrant an onsite interview/interrogation, staff will follow the protocols in this procedure.

I. Entry to a School

- a. A law enforcement officer (e.g., police officer, sheriff deputy, and immigration agent), Department of Children, Youth and Families (DCYF)* representative, or health department official shall contact the principal or designee upon entering a school building and present proper identification.
- b. School building administrative personnel will cooperate as specified below, treating interviews of students as witnesses, victims, and suspects differently.

II. Interview of Student Witness/Victim of Criminal Activity

- a. Students of any age who are witnesses to a crime or victims of a crime may be interviewed without parent/guardian consent.
- b. Should it become apparent during a witness/victim interview that the student under the age of twelve (12) years of age is the suspect of a crime, law enforcement shall immediately stop questioning until parental consent is obtained.
- c. The principal or designee will make a reasonable effort to notify the parent/guardian of the interview if, in the opinion of the law enforcement officer(s), the notification will not hinder the investigation. By law, the principal or designee may not prevent the interview and will so inform the parent/guardian.
- d. When prior notice has been given to the parent/guardian, the principal or designee will convey any expression of objection by the parent/guardian about the interview to the law enforcement officer(s).
- e. If the parent/guardian is not present for the interview, the principal or designee will be present unless the student specifically requests otherwise.

III. Interview of Student Witness/Victim, Child Abuse or Neglect Investigation

- a. Students of any age who are witness to, or victims of, abuse or neglect may be interviewed so long as the interviewer obtains the student's consent in the presence of the principal or designee. A student may not be interviewed without their consent unless the interviewer has a warrant or determines that exigent circumstances exist.
- b. Should it become apparent during a witness/victim interview that the student under twelve (12) years of age is the suspect of a crime, law enforcement shall immediately stop questioning until parent/guardian consent is obtained.

**Child Protective Services (CPS) is now a service housed within DCYF.*

- c. The principal or designee will make a reasonable effort to notify the parent/guardian about the interview **IF**, in the opinion of the law enforcement officer(s) or the DCYF representative, the notification will not hinder the investigation.
- d. When the parent/guardian has been given prior notice, the principal or designee will convey any expression of objection by the parent/guardian about the interview to the law enforcement officer(s) or the DCYF representative.
- e. If the parent/guardian is not present, the principal or other school employee will be present **IF** the student requests and law enforcement or the DCYF representative agrees.
- f. If the principal or designee believes the student is being intimidated, threatened, or coerced; that the student is unaware that they are free to leave the interview at any time; or that the student is in physical or emotional distress, the principal or designee may request to take a break and make those concerns known to the interviewer. The principal or designee may then request to continue, temporarily suspend, or terminate the interview.
- g. The school will document the date, time, place, interview length, student name, consent to be interviewed, the interviewer, and any additional parties present ([DCYF/Law Enforcement Interview Summary Form](#)).

IV. Interview of Student Suspect of Criminal Activity

- a. Student suspects under the age of twelve (12) may be interviewed only with parent/guardian consent.
- b. Washington State law permits students twelve (12) years and older, who are suspects of a crime, to be interviewed without parent/guardian consent.
- c. The principal or designee will make a reasonable effort to notify the parent/guardian of the interview if, in the opinion of the law enforcement officer(s), the notification will not hinder the investigation. By law, the principal or designee may not prevent the interview from taking place and will so inform the parent/guardian.
- d. When prior notice has been given to the parent/guardian, the principal or designee will convey any expression of objection about the interview made by the parent/guardian to the law enforcement officer(s).
- e. Law enforcement must provide students under the age of eighteen (18) with access to an attorney for consultation before the student waives any constitutional rights.

V. Interview of Student Sought by Health Department Officials

- a. The principal or designee will permit a health department official to conduct a confidential interview with a student suspected of being in contact with an individual infected with a communicable disease when the interview is during school hours, and the principal or designee chooses not to release the student to travel to the health department.

VI. Interview of Student Sought by Immigration Agents

- a. Everett Public Schools' obligation to educate does not consider immigration status. Therefore, the district will not ask for, or record, a student's or family member's immigration status. If a student or family member self-discloses their immigration status, no record shall be kept of the disclosure.
- b. If an immigration agent requests access to a student or a school site, staff shall deny immediate access, alert the principal or designee, and forward the request to the superintendent and/or general counsel for review.
- c. The superintendent and/or general counsel shall ask for the immigration agent's credentials, ask the agent why the agent is requesting access, and ask to see a warrant.
- d. To be valid, the warrant must state the purpose of the interview, identify the search location, reference a specific person, include an accurate date, and be signed by a federal or state judge.
- e. Immigration agents must also provide written authority, instructing them to enter district property, and stating the purpose of the entry from one of the following Immigration and Customs Enforcement (ICE), the Assistant Director of Operations, Homeland Security Investigation (HIS), the Executive Associate Director (EAD) of HIS, the Assistant Director for Field Operations, Enforcement and Removal Operations (ERO), or the EAD of ERO.
- f. Upon receipt and examination of the required information, the superintendent and/or general counsel will determine whether immigration agents will be allowed to contact or question the individual named on the warrant and will communicate that decision to the principal or designee.
- g. The superintendent and/or general counsel or designee will make a reasonable effort to notify the parent/guardian of the interview.
- h. The superintendent and/or general counsel, principal or designee will ask to be present during the interview and ensure the agents are not given access to information, records, or areas beyond that specified in the warrant.

VII. Access to Student Records

- a. If the parent/guardian or student over eighteen (18) years of age has not filed a written objection to the release of directory information, a law enforcement officer, DCYF representative, or health department official may request and be granted such directory information as designated in [Board Policy 3600](#) and [Procedure 3600P](#). The actual residential addresses of participants in Washington State's Address Confidentiality Program are not available for release as directory information. Social Security numbers, student identification numbers (with authentication factors such as a secret password or personal identification number), and other personally identifiable information are not considered directory information.

- b. Student records protected by the federal Family Educational Rights and Privacy Act (FERPA) may only be examined or released following written permission from a minor student's parent/guardian or an adult student, pursuant to a court order or subpoena, or in response to a health or safety emergency. Student records may also be examined by or released to DCYF or law enforcement if DCYF or law enforcement is conducting an investigation or family assessment of alleged abuse or neglect of a student, and the records are relevant to the alleged abuse or neglect.

VIII. Taking a Student into Custody

- a. In a criminal matter, a law enforcement officer is not required to have a warrant in order for the principal or designee to release the student into law enforcement custody but shall be requested to sign a school district form stating that the officer is removing the student from school.

In the event a student is taken into custody by law enforcement, the principal or designee will make immediate reasonable effort to notify the parent/guardian unless directed not to by the law enforcement officer because child abuse or neglect is alleged against the parent/guardian, or some other similar, specified reason exists for prohibiting notification.

- b. School authorities may request that the law enforcement officer put their reasoning for denial of parent/guardian notification into writing.
- c. A student may not be taken into custody at school on a truancy petition.
- d. Immigration agents are required to have a subpoena or warrant signed by a judge in order for the district to release a student into their custody.

Cross references:

[Board Policy 4411](#)

Working Relationships with Law Enforcement, the Department of Children, Youth and Families, and the Local Health Department

[DCYF/Law Enforcement Interview Summary Form](#)

Adopted: September 1981
Revised: June 1999
Revised: August 2000
Updated: November 2001
Updated: January 2012
Revised: March 2014
Revised: March 2018
Revised: April 9, 2019
Updated: October 2021
Revised: January 2022
Updated: February 2022
Revised: May 2023

Interview of Student Witness/Victim, Child Abuse or Neglect Investigation

The following is a protocol checklist aligned with [Procedure 4411P](#) when a request is made to interview a student at school by a **law enforcement officer** (e.g., police officer, sheriff deputy, and immigration agent), **Department of Children, Youth and Families (DCYF)* representative, or health department official**. **NOTE: Child Protective Services (CPS) is a service housed within DCYF*

1. ***Is an onsite interview warranted due to a lack of sufficient alternatives?***

☐ If YES, continue to #2



☐ If NO, stop here. The interview should not occur.



2. ***Has the student consented to the interview OR does the interviewer have a warrant OR has the interviewer determined that exigent circumstances exist?***

☐ If YES to any of the above in #2, continue to #3



☐ If NO to any of the above, stop here. The interview should not occur.



3. ***In the opinion of the DCYF representative or law enforcement officer, may the parent/guardian be provided prior notice without hindering the investigation?***

☐ If NO, do **NOT** contact the parent/guardian.
(and continue to #4)



☐ If YES, contact the parent/guardian to provide prior notice of the interview

• ***Does the parent/guardian express objection to the interview?***

☐ If NO, the interview may move forward



☐ If YES, convey the expression of objection to the DCYF representative or law enforcement office. It will be their discretion whether to move forward



***NOTE:** If the DCYF representative or law enforcement officer decides to continue with the investigation, the parent/guardian will be informed that by law the principal/designee may not prevent the interview from taking place*

4. ***Is the parent/guardian present for the interview?***

☐ If YES, continue to #5



☐ If NO, ***does the student request to have the principal present AND does the interviewer agree***

☐ If both of the underlined above are YES, the principal (or designee) **will be** present.
(continue to #5)



☐ If one or both of the underlined above are NO, school staff **may not be** present.
(continue to #5)



5. ***Complete the interview summary form***



DCYF/Law Enforcement Interview Summary Form

Student name	Student ID	Grade
--------------	------------	-------

Date of interview	Start/end time	Location
-------------------	----------------	----------

Name of DCYF representative/law enforcement officer conducting the interview

If this was a DCYF interview,
was law enforcement present? ☐ Yes ☐ No

If yes, list name/title of law enforcement officer

Was school personnel present? ☐ Yes ☐ No

If yes, list name/title of school personnel

Did student give consent for the interview? ☐ Yes ☐ No

Summary of consent by student to interview, including the context in which the student gave consent for the interview.

Was a parent/guardian provided prior notice of the interview?

- ☐ No, in the opinion of the DCYF representative or law enforcement officer, prior notice would have hindered the investigation.
- ☐ Yes, and the parent/guardian did not object to the interview.
- ☐ Yes, and the parent/guardian expressed objection.

Name of EPS staff member completing this form

Distribution: Original form to School Principal/Designee
Reference: [Policy 4411](#) and [Procedure 4411P](#), Working Relationships with Law Enforcement, the Department of Children, Youth and Families, and the Local Health Department

Adopted: May 2023

REMOVAL OF A STUDENT FROM SCHOOL BY LAW ENFORCEMENT

Upon proper identification, a law enforcement officer may exercise legal authority to remove a student from school when authorized by law and if the officer assumes responsibility for the student. A warrant is not required for the building administrator to release a student into the officer's custody. The law enforcement officer shall be requested to complete this form prior to removing a student from school. The building administrator will immediately notify the parent/guardian **unless directed not to do so by law enforcement**. If directed not to contact the parent/guardian, the building administrator will request that the officer list the reasons in writing prior to removing a student from school.

Officer: _____	Badge Number (if applicable): _____
Agency: _____	Warrant # (if applicable): _____
Position: _____	Division: _____
Student: _____	DOB: _____
School: _____	Student ID Number: _____

Action by Law Enforcement Officer (check all appropriate boxes)

- ☐ **Custody Transfer Request:** I request that _____ transfer custody of the
Building Administrator Name
above named student to me for removal from school. The law enforcement agency assumes full responsibility for the student while they are in our custody.

Officer's Signature: _____ Date _____ Time: _____

- ☐ **Parent/Guardian Notification:** I understand it is the policy of Everett Public Schools to make a reasonable effort to notify the parent/guardian **before** a student is taken into custody. By checking this box, I am indicating that because of the special circumstances of this investigation, I have directed the school **not** to contact the student's parent/guardian. My agency will notify the student's parent/guardian, as appropriate in accordance with applicable law.

IF THIS BOX IS NOT CHECKED, THE SCHOOL WILL IMMEDIATELY NOTIFY THE PARENT/ GUARDIAN.

Reason(s) for prohibiting notification of the parent/guardian: _____

Signature by Officer: _____ Date _____ Time: _____

Action by Building Administrator Regarding Parent/Guardian Notification (check only one box)

- ☐ Parent/guardian **not** notified as directed by law enforcement officer.
- ☐ Parent/guardian notified on (date/time): _____
- ☐ Attempt(s) to notify parent/guardian made on (date/time): _____

School Administrator's Name

School Administrator's Signature

Date

Distribution: Place original form in student's school file and provide copy to the law enforcement officer.

Adopted: June 2017

Revised: April 2019

REMOVAL OF A STUDENT FROM SCHOOL BY CHILD PROTECTIVE SERVICES

Upon proper identification, a Child Protective Services representative may remove a student from school if they have a: court order; **or** Voluntary Placement Agreement; **or** a law enforcement exercise of custody and transfer of custody to Child Protective Services. The building administrator will not release a student into the Child Protective Services representative custody unless one of the above requirements is met. The Child Protective Services representative shall complete this form prior to removing a student from school. The building administrator will immediately notify the parent/guardian **unless the parent/guardian is suspected of abuse or neglect**. If directed not to contact the parent/guardian, the building administrator will request that the representative list the reasons in writing prior to removing a student from school.

Worker: _____	Badge/ID Number (if applicable): _____
Agency: _____	Location/Address: _____
Student: _____	DOB: _____
School: _____	Student ID Number: _____

Action by Child Protective Services Representative (check all appropriate boxes)

- ☐ **Custody Transfer Request:** I request that _____ transfer custody of the
Building Administrator Name
above named student to me for removal from school. The Child Protective Service agency assumes full responsibility for the student while they are in our custody.

Representative's Signature: _____ Date _____ Time: _____

- ☐ **Parent/Guardian Notification:** I understand it is the policy of Everett Public Schools to make a reasonable effort to notify the parent/guardian **before** a student is taken into custody. By checking this box, I am indicating that because the parent/guardian is suspected of abuse or neglect, I have directed the school **not** to contact the student's parent/guardian. My agency will notify the student's parent/guardian, as appropriate in accordance with applicable law.

IF THIS BOX IS NOT CHECKED, THE SCHOOL WILL IMMEDIATELY NOTIFY THE PARENT/GUARDIAN.

Reason(s) for prohibiting notice to the parent/guardian: _____

Signature by Representative: _____ Date _____ Time: _____

Action by Building Administrator Regarding Parent/Guardian Notification (check only one box)

- ☐ Parent/guardian **not** notified as directed by Child Protective Services representative.
- ☐ Parent/guardian notified on (date/time): _____
- ☐ Attempt(s) to notify parent/guardian made on (date/time): _____

School Administrator's Name

School Administrator's Signature

Date

Distribution: Place original form in student's school file and provide copy to the Child Protective Services representative.

Adopted: June 2017

Revised: April 2019

Updated: February 2022