

## **LIONSGATE ACADEMY**

### **913 INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES**

*Original Adoption Date: 4/21/2015*

*Revision Date(s):*

*Review Date(s): 03/01/2018, 3/2/2021*

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#### **I. PURPOSE**

The purpose of this policy is to describe access to students by outside agencies during the school day.

#### **II. GENERAL STATEMENT OF POLICY**

- A. Generally, students may not be interviewed during the school day by persons other than a student's parents, Lionsgate Academy officials, employees and/or agents, except as otherwise provided by law and/or this policy.
- B. Requests from law enforcement officers and those other than a student's parents, Lionsgate Academy officials, employees and/or agents to interview students will be made through the executive director's office. Upon receiving a request, it will be the responsibility of the executive director to determine whether the request will be granted.
- C. Prior to granting a request, the executive director will attempt to contact the student's parents to inform them of the request, except where otherwise prohibited by law.

#### **III. INTERVIEW CONDUCTED UNDER THE MALTREATMENT OF MINORS ACT**

- A. In the case of an investigation pursuant to the 2020 Minnesota Statute 260E Reporting of Maltreatment of Minors (260E.22 Interviews), 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 Lionsgate Academy and during school hours. Lionsgate Academy 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 Lionsgate Academy official.
- B. If the interview took place or is to take place on Lionsgate Academy property, an order of the juvenile court pursuant to the 2020 Minnesota Statute 260E Reporting of Maltreatment of Minors (260E.22 Interviews) may specify that Lionsgate Academy officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on Lionsgate Academy property and/or any other related information regarding the interview that may be a part of the child's record. The Lionsgate Academy 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 agency responsible for assessing or investigating a report of maltreatment determines that an interview should take place on Lionsgate Academy property, Lionsgate Academy officials must receive written notification of intent to interview the child on Lionsgate Academy property prior to the interview. The notification will 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 on Lionsgate Academy property. 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. Lionsgate Academy 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 a Lionsgate Academy employee or agent is alleged to have maltreated the child. Until Lionsgate Academy 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 a report of maltreatment, who will be solely responsible for any disclosure regarding the nature of the assessment or investigation.
- D. Lionsgate Academy officials will have discretion to reasonably schedule the time, place, and manner of an interview by a local welfare or local law enforcement agency on Lionsgate Academy premises. However, where the alleged perpetrator is believed to be a Lionsgate Academy 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 Lionsgate Academy officials and the local welfare or law enforcement agency. However, Lionsgate Academy officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. Lionsgate Academy officials will make every effort to reduce the disruption to the educational program of the child, other students, or school staff when an interview is conducted on Lionsgate Academy premises.
- E. Students will not be taken from Lionsgate Academy property without the consent of the executive director and without proper warrant.

*Legal References:*

*Minn. Stat. § 13.32 (Educational Data)*

*2020 Minnesota Statute 260E Reporting of Maltreatment of Minors (260E.22 Interviews)*