



Administrative Regulation 5010

OUTSIDE LAW ENFORCEMENT and OTHER GOVERNMENT AGENCIES: Questioning of Students and Release of Student Records

Responsible Office: Office of School Performance

PURPOSE

This administrative regulation shall establish guidelines related to the questioning of students and the release of student records to governmental and/or law enforcement agencies, other than school police, in the Washoe County School District.

REGULATION

1. Questioning of Students By Outside Law Enforcement and Other Recognized Agencies
 - a. Representatives of recognized agencies may request to interview or question students during school hours on school grounds. To the extent possible, the District shall assist and cooperate with such agencies.
 - b. A student may be interviewed or questioned by representatives of the following agencies during school hours on school grounds provided the representative seeks and obtains permission from the school's principal or his/her designee prior to the questioning:
 - i. Local, state and federal law enforcement agencies and probation departments;
 - ii. Local and regional fire departments;
 - iii. Recognized welfare agencies;
 - iv. Any branch of the armed forces; or
 - v. Other appropriate governmental agencies.
 - c. Permission from the parent/guardian shall be obtained prior to the questioning, with the following exceptions:
 - i. continuing interviews conducted by a probation department of a student on probation,
 - ii. cases involving crimes allegedly committed by a student's parent/guardian(s) where the student is the victim,
 - iii. child abuse cases,

- iv. emergency situations where the health or safety of another person is at issue.
 - d. When a student is questioned by a duly authorized representative (i.e. Social Services) related to child abuse/neglect, no District personnel shall be present without the permission of the duly authorized representative (See NRS 432B.270(1)) In all other cases, the principal or designee may be present during the interview.
- 2. Release of Student Records To a Law Enforcement or Other Recognized Agencies
 - a. Representatives of recognized agencies may find it necessary to request student records when conducting an investigation. It is the established protocol of the District to assist and cooperate with such agencies in most cases.
 - b. Directory information, as defined by the Family Educational Right to Privacy Act ("FERPA"), may be released to a police agency. Attendance and discipline records are NOT directory information and may only be released with the permission of the parent/guardian or with a subpoena.
 - i. Under certain circumstances, non-Directory information may be released in accordance with FERPA, to include records that are directly related to a health or safety emergency.
 - c. Records may NOT be released in cases where:
 - i. A specific person is not named.
 - ii. For a specific criminal investigation that does not involve a health or safety emergency.
- 3. Washoe County School District School Police
 - a. School Police are considered District personnel and have the "need to know" rights afforded under FERPA, including rights to view student records without parent permission.

DESIRED OUTCOMES

- 1. Through this administrative regulation, the District shall establish protocols related to the questioning of students and release of student information to law enforcement agencies.

IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS

- 1. This administrative regulation reflects the goals of the District's Strategic Plan.

2. This administrative regulation aligns with the governing documents of the District to include:
 - a. Board Policy 7610, Public Information and Records Requests
 - b. Board Policy 7620, Document and Records Management
 - c. Administrative Procedure 5011, Release of Records to Law Enforcement Agencies, Other than School Police
3. This administrative regulation aligns with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
 - a. Chapter 432B, Protection of Children from Abuse and Neglect
 - i. 432B.270, Interview of child and sibling concerning possible abuse or neglect...
4. This administrative regulation complies with federal laws and regulations, to include:
 - a. Family Educational Right to Privacy Act (FERPA)
 - b. Individuals with Disabilities in Education Act (IDEA)

REVIEW AND REPORTING

1. This administrative regulation shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the guiding policy as well as an audit of the accompanying governing documents.
2. Additional administrative regulations and/or other associated documents may be developed as necessary to implement and support this administrative regulation.

REVISION HISTORY

Date	Revision	Modification
02/08/1977	1.0	Adopted as Administrative Regulation 5146.1
Various	1.1	Revised 3/23/1977, 5/10/1977, 7/12/1977, 9/22/1992
9/10/2015	2.0	Adopted