



Administrative Regulation 5010

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

Responsible Office: Office of Academics

PURPOSE

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

REGULATION

1. Questioning of Students by Non-District Law Enforcement and Other Government Agencies
 - a. Representatives of non-District law enforcement agencies and other government agencies may not enter District property to question students without first obtaining permission from the school administrator.
 - b. Non-District law enforcement agencies and other government agencies must provide school administrators with legal authority, i.e., court order, statute or exigent circumstances, to question students.
 - c. Prior to the questioning of a student by other government agencies and/or law enforcement agencies, administrators should contact the Office of the General Counsel to review any legal authority provided.
 - d. After legal authority has been reviewed and approved, students may be interviewed or questioned by representatives of the following agencies during school hours on school grounds:
 - i. Local, state and federal law enforcement agencies and probation departments;
 - ii. Local and regional fire departments;
 - iii. Recognized welfare agencies such as Washoe County Human Services Agency, foster care services, or services related to adoption;
 - iv. Any branch of the armed forces; or
 - v. Other appropriate governmental agencies that provide legal authority (i.e., court order or statute) to communicate with the student.

- e. 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. Cases where the representative has a court order or provides other legal authority to question the student without parent consent;
 - iv. Child abuse cases; and
 - v. Emergency situations where the health or safety of another person is at issue.
 - f. When a student is questioned by a duly authorized representative of the governmental agency (i.e., Washoe County Human Services Agency) related to child abuse/neglect, no District personnel shall be present without the permission of the duly authorized representative. The principal or designee may be present during the interview in all other circumstances unless the representative provides a court order or other legal authority authorizing questioning without another person present.
2. Release of Student Records to Law Enforcement or Other Government Agencies
- a. Representatives of law enforcement and other government 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 provided the agency provides proper authority to access student records, including but not limited to, a warrant, subpoena, release, or other court order. Administrators should contact the Office of the General Counsel to review any legal authority provided.
 - b. Directory information, as defined by the Family Educational Rights and Privacy Act (FERPA), may be released to a law enforcement or other government agency without a court order if the parent/legal guardian has not opted out of the release of directory information. Attendance and discipline records are NOT directory information and may only be released with the permission of the parent/guardian or with a court order.
 - i. Under certain limited circumstances, non-directory information may be released in accordance with FERPA, to include records that are

directly related to a health or safety emergency. Administrators should contact Student Accounting and Office of the General Counsel when a request is made under a health or safety emergency.

- c. If any records are provided, the administrator or his/her designee must record any records provided in the FERPA tab in IC, including the documents provided, the case number, and the name and badge number of the person requesting the information.
- d. Records may NOT be released in cases where:
 - i. A specific person is not named in the request; or
 - ii. For a specific criminal investigation that does not involve a health or safety emergency and there is not a valid court order authorizing the release of the records.
- e. School Police are District personnel and may be considered school officials under FERPA, which can include rights to view student records without parent permission.

LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS

1. This Administrative Regulation reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
 - a. Board Policy 5100, Student Behavior;
 - b. Board Policy 7610, Public Records Requests; and
 - c. Board Policy 7620, Document and Records Management.
2. This Administrative Regulation aligns with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
 - a. NRS Chapter 432B, Protection of Children from Abuse and Neglect
 - i. 432B.270, Interview of child and sibling of child concerning possible abuse or neglect; photographs, X-rays and medical tests.
3. This Administrative Regulation complies with federal laws and regulations, to include:
 - a. Family Educational Rights and Privacy Act (FERPA); and
 - b. Individuals with Disabilities Education Act (IDEA).

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
09/10/2015	2.0	Adopted: Merged into Administrative Regulation 5010
08/02/2022	3.0	Revised: Update format and clarify language
09/17/2025	4.0	Revised: added a new Associated Document, updated name of child protective services and inclusion of other governmental agencies to regulation requirements, added office for review of legal authority, and added FERPA documentation process.