



Administrative Regulation 5010 OUTSIDE LAW ENFORCEMENT and OTHER GOVERNMENT AGENCIES: Questioning of Students and Release of Student Records

Responsible Office: Office of School Leadership

PURPOSE

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

REGULATION

1. Questioning of Students by Non-District Law Enforcement and Other Recognized Agencies
 - a. Representatives of recognized non-district law enforcement agencies may request to interview or question students during school hours on school grounds. To the extent possible, and provided the agencies provide school officials with some legal authority (i.e., court order or statute) to question the students, 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 such as child protective services, 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.
 - 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. 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.
 - d. When a student is questioned by a duly authorized representative of the governmental agency (i.e., Social Services) 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 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 provided the agency provides proper authority to access student records, including but not limited to, a warrant, subpoena, release, or other court order.
 - b. Directory information, as defined by the Family Educational Right to Privacy Act (FERPA), may be released to a police 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 when a request is made under a health or safety emergency.
 - c. 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.

3. 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.

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 7610, Public Records Requests;
 - b. Board Policy 7620, 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 concerning possible abuse or neglect.
3. This Administrative Regulation complies with federal laws and regulations, to include:
 - a. Family Educational Right to Privacy Act (FERPA); and
 - b. Individuals with Disabilities in 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