STUDENT INTERVIEWS AND INTERROGATIONS
(Bath, Haverhill, Warren)

Related Policies: JLF

A. Interviews of Student Witnesses or Victims by School Administrators.

When a violation of Board policy or school rules occurs, the school Principal or designee may question potential student victims and witnesses without prior consent of the parent, guardian, or legal custodian. If a school official is investigating a report of child abuse regarding the student and the suspected perpetrator is a member of the student's family, no contact with the student's family will be made.

B. Interrogations of Student Suspects by School Administrators.

In situations where a student is suspected of violating Board policies or school rules, the Principal or designee may interrogate the suspected student if the school official has reasonable grounds to suspect that such a violation has occurred. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, the student will have the opportunity to present his or her side of the story, orally or in writing to the proper school administrator.

C. Interviews of Students by Law Enforcement or DCYF Caseworkers in Certain Cases.

Under RSA 169-C:38, law enforcement personnel and trained caseworkers of the New Hampshire Division of Human Services, Division of Children, Youth and Families (DCYF) shall have the right and authority to enter any school for the purpose of conducting an interview with a child, with or without the consent or notification of the parent or parents of such child, if there is reason to believe that the child has been:

(a) Sexually molested.

(b) Sexually exploited.

(c) Intentionally physically injured so as to cause serious bodily injury.

(d) Physically injured by other than accidental means so as to cause serious bodily injury.

(e) A victim of a crime.

(f) Abandoned.

(g) Neglected.

For any interview conducted pursuant to this paragraph C, school officials shall provide a private space within the school suitable for a recorded interview. (The recordings are made and retained by law enforcement/DCYF, not the school).

D. Other Interviews and Interrogations by Law Enforcement Officers.

In other instances, law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstances exist, such interviews and interrogations

are discouraged during the students' class time. The Principal and principal's designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process, while at the same time cooperating with law enforcement efforts. Accordingly, the Principal or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews and interrogations. In the event of disagreement, the Principal or designee shall immediately contact the Superintendent or district legal counsel for assistance.

Legal References:

RSA 169-C:29-39, Child Protection Act, Reporting Law

***Legal References Disclaimer**: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

ADOPTED: Bath School Board – June 8, 2022
Haverhill Cooperative School Board – June 13, 2022
Warren School Board – August 9, 2022