

**Berkeley USD
Board Policy**

Student Interviews by District Counsel

BP XXXX

No student shall be questioned for any purpose by the District's legal counsel without the site administrator first notifying the student's parent/guardian, informing the parent/guardian regarding the subject matter of the proposed questioning, and offering the parent/guardian the opportunity to be present during questioning.

If the parent/guardian is not able to be reached, the questioning shall not take place.

If the parent/guardian requests to be present, the questioning shall not take place until the parent/guardian is able to be present.

If the parent/guardian does not wish to be present, the questioning may proceed without the parent/guardian present. However, in that case, the site administrator or designee shall be present during the questioning unless his or her presence creates a conflict of interest, in which case another administrator shall be present.

Notwithstanding the above provisions, if the Superintendent believes that notification to a student's parent/guardian would irreparably impede or damage an ongoing investigation of critical importance, the Superintendent may request permission from the Board in closed session for authorization for District counsel to interview the student prior to parental notification. In that case, the parent/guardian shall be notified of the interview as soon as practicable following the interview.

Policy BERKELEY UNIFIED SCHOOL DISTRICT
adopted: xxx Berkeley, California