

REQUEST FOR ACCESS TO STUDENT FOR NON-CRIMINAL INVESTIGATION
INTO POTENTIAL IN-HOME ABUSE OR NEGLECT

(Penal Code Section 11174.3)

I, _____ [print name], am a

- ☐ Licensed clinical social worker employed by the State of California or the County in which the student is a resident (Identification No. _____);
- ☐ Police/Sheriff's Department law enforcement officer (Badge No.: _____); or
- ☐ Duly authorized representative from the district attorney's office (ID No. _____).

Under the penalty of perjury, the following is true and correct:

1. I or my office/department have received credible information indicating that student _____ may presently be suffering abuse/neglect in his/her home or residential care facility by a parent, legal guardian, or care provider;

2. Based on presently available information, with no other reasonable time or location for an interview existing, I or my office/department deem it necessary to conduct an on-campus interview to investigate these allegations; and **(Select One)**:

- ☐ I have parental consent to conduct the interview. Write in the name of the parent or legal guardian providing consent and the date/time/method such consent was given: _____;
- ☐ I have a Court order or warrant allowing for the interview (copy provided and attached); or
- ☐ I or my office/department reasonably believe there is a substantial risk of immediate or imminent physical harm to the student, before a warrant, court order, or parental consent could reasonably be obtained, such that exigent circumstances for an immediate screening interview exist to determine if protective services are needed (not for law enforcement or evidence gathering purposes).

4. If conducted pursuant to the exigent circumstances provision, I will conduct the interview solely for the purpose of determining whether there is a potential for in home/facility abuse or neglect by a parent, legal guardian, or care giver such that urgent protective services are needed. I will not question the student about any other issue. If the school district becomes aware of any additional questioning, the school district will report such facts to the student's parent/legal guardian and to agencies responsible for determining whether the involved public agency or interviewer has violated the student's or parent's/guardian's legal rights. I will advise the student that he/she has the right to have a school district employee or volunteer aide be present for my interview and I will in no manner attempt to dissuade or discourage the student from exercising this right.

5. Should the interview uncover information indicative of the existence of a crime and/or the need for protective custody, I will promptly terminate the interview, assume emergency protective custody of the student in conformity with governing laws and the adopted procedures of my office/department, and give notification of my action to all appropriate parties.

Date: _____

Signature: _____