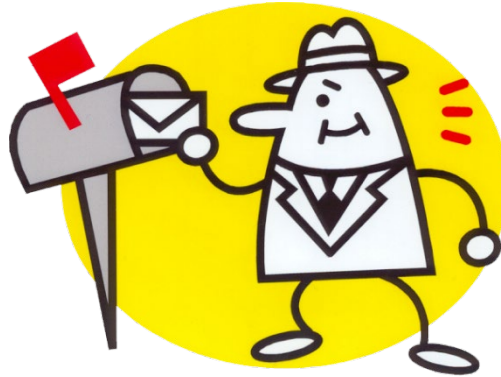


# LEGAL MAILBAG – JANUARY 22, 2026



By Attorney Thomas B. Mooney, Neag School of Education, University of Connecticut

*The "Legal Mailbag Question of the Week" is a regular feature of the CAS Weekly NewsBlast. We invite readers to submit short, law-related questions of practical concern to school administrators. Each week, we will select a question and publish an answer. While these answers cannot be considered formal legal advice, they may be of help to you and your colleagues. We may edit your questions, and we will not identify the authors. Please submit your questions to: [legalmailbag@casciac.org](mailto:legalmailbag@casciac.org).*

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Dear Legal Mailbag,

With all the recent hullabaloo with various federal law enforcement organizations possibly carrying out activities in schools, I am seeking guidance from Legal Mailbag on a situation that we experienced with a state-level agency that is responsible for investigating child abuse.

My social worker received a call from a three-letter government agency that a case worker would be arriving at the school within the hour to speak with a student regarding an open investigation that originated outside the school. My social worker told the case worker that unless we had a FERPA release, she would not be able to speak with the student. When the case worker arrived, she told my social worker that refusing access would be considered "impeding an investigation." The three-letter agency area supervisor called me a few minutes later and repeated the exact same phrase. My social worker was adamant that we couldn't allow the case worker to speak with a student without a FERPA release. But then the supervisor threatened to call the police on me. I didn't want any trouble, so I let them in.

Can DCF (oops, I mean "a three-letter state agency") interview students during the day without parent consent while conducting an investigation?

Signed,  
*The Principled Principal*

Dear Principal:

DCF has an important job to do. Conn. Gen. Stat. § 17a-106 provides:

**Sec. 17a-106. (Formerly Sec. 17-38f). Cooperation in relation to prevention, identification and investigation of child abuse and neglect.** All law enforcement officials, courts of competent jurisdiction, school personnel and all appropriate state agencies providing human services in relation to preventing, identifying, and investigating child abuse and neglect shall cooperate toward the prevention, identification and investigation of child abuse and neglect.

Given this statute and the public policy underlying it, school officials will want to cooperate with DCF as much as is reasonably possible.

That said, school officials have the right to condition DCF access to students in school on parent permission. School officials have custody of students for educational purposes, and DCF interviews in school are not directly related to that purpose. In asking for parent permission before permitting DCF employees to interview a student in school, school officials are cooperating with DCF. Rather than simply refusing the request, school officials typically reach out to the parents to seek to facilitate such an interview, balancing their interest in working collaboratively with DCF with their responsibility to respect parental authority.

In any event, DCF does not have the right to demand access to students attending school, and the threats of repercussion here for “impeding an investigation” appear to be unjustified. To impede an investigation, one must take affirmative action that interferes with the lawful investigatory authority of a state agency. By contrast, here you and your staff were simply trying to stand firm against the DCF demand that you act unilaterally (without parent approval) to provide access to the student in question.

There is one important exception to the expectation that school officials will reach out to parents before they permit DCF representatives to interview a student in school. Sadly, there are circumstances when the alleged perpetrators of the abuse being investigated are the parents themselves. In such cases, outreach to the parent would most likely prevent DCF representatives from talking with the student (and potential victim). Given that reality, when the parent is the alleged perpetrator, school officials customarily do permit DCF representatives to interview students in school. Not to permit such an interview could significantly burden a DCF investigation and put the student at further risk.

Finally, Legal Mailbag notes the request by the social worker for a “FERPA release” and wonders whether and how FERPA fits into this scenario. To be sure, that federal law requires that school officials maintain the confidentiality of personally-identifiable student information contained in school records. However, a DCF interview with a student would likely focus on what the student knows about a given situation, not on the contents of any records maintained by the school district. Legal Mailbag infers that reference to a “FERPA release” is simply shorthand for obtaining parent permission.

*Legal Mailbag thanks Shipman & Goodwin partner Natalia Sieira Millán for her insights on these issues, given her previous service as Assistant Legal Director at DCF.*