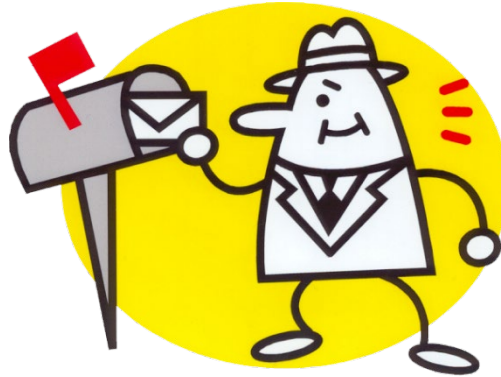


# LEGAL MAILBAG – JANUARY 29, 2026



By Natalia Sieira Millán, Partner, Shipman & Goodwin LLP – GUEST COLUMNIST

*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,

As an elementary school principal, I am usually very confident about my rights and responsibilities, but this week I find myself a little puzzled.

We received a call from the Department of Children and Families (“DCF”) asking us to coordinate an interview with a student who reported abuse by a family member, and to set up a room for “them” to “discuss the incident.” I have partnered with this social worker before and I trust him to do the right thing, but I was a little bothered by the suggestion that only “they” will be “discussing the incident.” Can I clarify that I will be sitting with the student during the interview? I am not trying to be nosy – just trying to be supportive of the student.

I am pretty sure that I have can insist that the student not meet with a DCF representative alone, but I worry that if I push back, my relationship with the social worker will sour. Please help!

Signed,  
*Trust But Verify*

Dear Trust:

Your heart is in the right place. As an elementary school principal, it is your responsibility to ensure the safety and well-being of all students, especially when they are going through something as distressing as a DCF interview. You will want to trust DCF to handle the situation appropriately, but you may wish to attend the interview to make sure. Accordingly, Legal Mailbag suggests that you call the social worker, discuss your concern for the child and ask to sit in on the interview.

As you know, DCF is the lead investigatory agency in the State of Connecticut responsible for investigating allegations of abuse or neglect and, as such, school personnel are required to cooperate in those investigations. However, DCF's access to students is not unfettered, and your friendly social worker should know the rules.

Specifically, DCF's own Policy Manual (citing Conn. Gen. Stat. Sec. 17a-101h) expressly guides social workers conducting investigatory interviews through [Policy Number 22-2](#) (Child Protective Investigations), which provides as follows:

### **Interviewing the Child Victim**

The ISW shall conduct an interview with the alleged victim as follows:

- obtain the consent of a parent, guardian or other caregiver, except when:
  - DCF has reason to believe that the parent or guardian or other person responsible is the perpetrator of the abuse or neglect or
  - seeking such consent would place the child at imminent risk of physical harm
- concerted efforts should be made to interview children alone and separate from the parent/guardian and/or alleged perpetrator and document when unable to interview child alone
- coordinate interviews and share information with other professionals who may also need to interview the child in a manner that minimizes the number of interviews regarding the alleged abuse and neglect in which a child must participate to minimize re-traumatization.

Note: ***If parental consent is not required to conduct an interview of a child, another disinterested adult shall be present unless immediate access is necessary to protect the child from imminent risk of physical harm and a disinterested adult is not available after a reasonable search.*** Justification for using or not using a disinterested party, as well as their role/identity, should be documented in the DCF-2047. (Emphasis added)

Legal Mailbag presumes that your usual practice is to call the parent/guardian of a student with whom DCF wishes to speak to notify them of DCF's request to interview the child. If so, you are usually on the right track. Please note, however, that school personnel must be careful to avoid

disclosing DCF's request to a parent/guardian who is suspected of being the perpetrator of such abuse. In such cases, DCF will want to speak with the student separate from the parent/guardian and will want to meet with the student before the parent/guardian takes any steps to prevent access to the student.

In those rare instances, the statute (and DCF Policy 22-2) requires that a "disinterested adult shall be present" unless (1) "immediate access is necessary to protect the child from imminent risk of physical harm" and (2) "a disinterested adult is not available after a reasonable search." Legal Mailbag finds it hard to believe that a child would ever be (1) at imminent risk of physical harm *and* (2) that a disinterested adult would not be available at a school where DCF is requesting the principal to coordinate the interview. As such, I think you are safe pushing back if the social worker insists that you not be present.

Legal Mailbag notes, however, that the law does not automatically provide that school personnel must be present for DCF interviews with students. Nevertheless, as a matter of practice, most DCF social workers work collaboratively with school personnel and generally allow them to be present for student interviews (unless the parent/guardian insists that they themselves be present for the interview or if they require some other adult to be present).

In your question, you refer to a "family member" as the alleged perpetrator, and it is not clear whether the alleged perpetrator is a parent/guardian. If the answer is "no," then parental/guardian consent is required and DCF may not meet with the student absent their consent (with or without you). If the answer is "yes," then consent is not required and the policy and statute discussed above would govern.

Given your collaborative relationship with the DCF social worker in the past, Legal Mailbag suggests that a healthy discussion with the DCF social worker about how best to proceed will likely be beneficial to your ongoing partnership. You are, after all, both trying to keep students safe.