[*School District Letterhead*]

[*Date*]

[*Method of Delivery*]
[*Employee Name]*
[*Address*]

Re: Notice of Investigative Interview

Dear [*Employee Name*]:

The [*School District Name*] is conducting an investigation into certain circumstances or allegations. As part of this process, you are being asked to participate in an interview because you may have relevant information. Please note that this interview is not, in and of itself, a disciplinary action. You are being interviewed in your capacity as [a witness to the matter/the individual alleged to have engaged in misconduct].

The investigation involves [*insert short description*]

The interview is scheduled for [*insert date*] at [*insert time*] o'clock at the administrative offices of the School District.

[*Optional if applicable*: We will have a court reporter with us for this interview. The purposes of having a court reporter are two-fold—(1) it relieves us of the need to take comprehensive notes of the interview, resulting in this interview taking less time; and (2) the court reporter has the ability of creating a verbatim transcript which is better than notes.]

Confidentiality.

We try to keep these kinds of investigations confidential, but we cannot promise absolute confidentiality because there are times when information must be disclosed, considering such things as due process, subpoenas, a union's right to information, etc. Although we cannot promise or guarantee complete confidentiality, we will not make disclosures unless advisable or necessary.

Although we cannot promise complete confidentiality, we are directing you as an employee of the School District to comply with the following requirements regarding confidentiality.

You must not disclose any educational record that contains any personally identifiable information to anyone as part of this process, including your attorney(s) [or union representative]. The term "personally identifiable information" "includes, but is not limited to—(a) The student's name; (b) The name of the student's parent or other family members; (c) The address of the student or student's family; (d) A personal identifier, such as the student's social security number, student number, or biometric record; (e) Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; (f) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record

relates." 34 CFR § 99.3. If you believe that it is reasonably necessary to share any educational records with anyone, including your attorney(s) [or union representative], you must redact all personally identifying information and provide a copy to me before it is shared so that we can ensure that it has been properly redacted, and all personally identifiable information has been removed.

You are requested keep everything (including, but not limited to, the allegations, and all details thereof, the facts relating to this matter, the people involved, this process, the results of this process, witness names) fully confidential, and you must not disclose any confidential information unless you have a legal or constitutional right to make the disclosure and only to the limits that the disclosure is protected by law. For example, you have the right to discuss this with your attorney, but he or she must keep this confidential to the same extent that you have the duty to keep this confidential. [*If applicable:* Another example, you may have a legal right to discuss this with your union.] If you have a legal or constitutional right to make a disclosure, you must develop a plan that ensures that this matter remains confidential except to the extent allowed by law.

Additional Directives.

You must also comply with the following directives:

Documents/Evidence. If you have any document(s) or evidence that you believe is relevant to this investigation, you are directed to bring the document(s) or evidence to the interview.

Litigation Hold. You are directed to preserve all documents, emails, texts, electronic files of any nature that have any bearing or relevance to this investigation, the allegations that are being investigative, or the students, employees, or other individuals involved. You are directed not to delete any electronic files or data of anything that is or possibly may be relevant.

Retaliation Prohibited. You are directed not to take any action that could be construed as retaliation against anyone who has given us information or engaged in any protected conduct under law.

Cooperation. You must cooperate with this investigation and process.

Protection from Retaliation.

If you experience or suspect any form of retaliation as a result of your participation in this process, report it immediately. The School District does not tolerate retaliation and will take any such claims seriously.

Thank you for your cooperation and attention to this matter.

Sincerely,

[*Name of Principal/School Administrator*]
[*Title*]
[*Contact Information*]