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## ADMINISTRATIVE POLICY

### Investigation by Law Enforcement Agencies

### INS-A033

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Policies are periodically revised. For the most recent version, please visit <http://www.salemkeizer.org/qam/qam-documents>

1. School officials have a dual responsibility. They must safeguard the legal rights of students, and represent students in certain situations. They also must cooperate with law enforcement officers in the legitimate pursuit of their duties.
2. The District requests that police officers investigating a case involving an illegal act in which a student may be involved or about which the student may have information, contact the building principal or his/her designee before any effort is made to question a student during school hours.
3. Contacting Parents:
  - 3.1. Investigations related to illegal acts that occur off campus and are not school related:
    - 3.1.1. In accordance with police protocol, the District understands that the police officer who begins an official investigation has the primary responsibility to make a reasonable effort to contact a student's parent before questioning the student about an illegal act that occurs off campus and would not be school related. The police officer decides when the parent is to be notified and is the person who notifies the parent.
    - 3.1.2. If requested to do so by the police, the principal or his/her designee will make a reasonable effort to contact the parent or guardian when an officer comes to question or arrest a student related to illegal acts that occur off campus and that are not school related.
    - 3.1.3. If the principal or his/her designee is unable to reach the parent or guardian, the officer should not be delayed. However, the principal or his/her designee or the law enforcement officer should contact the parent or guardian as soon as possible.
    - 3.1.4. The principal or his/her designee may be directed by law enforcement officers not to contact the parent or guardian if there is reason to believe that such notification would unduly interfere with the investigation or that the matter pertains to alleged child abuse.
  - 3.2. Investigations related to violations of school policies and rules:
    - 3.2.1. The principal or his/her designee may involve a police officer in investigating violations of school policies and rules, including student interviews, without first contacting the parent.
    - 3.2.2. The District understands that when the police officer begins an official investigation, the police officer decides when the parent is to be notified and is the person who notifies the parent.
4. Questioning of Students:
  - 4.1. The District expects that the police officer will observe all the procedural safeguards prescribed by law and his/her agency when questioning a student.
  - 4.2. The police officer who is questioning a student related to a criminal violation will determine if the principal or his/her designee may be present in an interview that occurs at school.
5. Taking a student from the school:
  - 5.1. The school administrator or designee will not let a police officer or an official from Department of Human Services/Child Welfare take a student from a school building without a court order, an arrest, protective custody from Department of Human Services/Child Welfare, or permission of the parent or guardian.
6. Reporting Child Abuse:



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6.1. Any school employee having reasonable cause to believe that any student with whom he/she comes in contact in an official capacity has suffered abuse, or that any adult with whom he/she comes in contact has abused a student, shall report immediately to Department of Human Services/Child Welfare or a law enforcement agency.

6.1.1. Staff members may not inform parents of such reports.

7. Investigating Child Abuse:

7.1. School staff will cooperate with investigations of possible child abuse being conducted by Department of Human Services/Child Welfare or a law enforcement agency.

7.2. A member of the Department of Human Services/Child Welfare or a law enforcement officer who is questioning a student in regard to child abuse will determine if a school official may be present in an interview that occurs at school.

7.3. The principal or his/her designee will advise Department of Human Services/Child Welfare or the law enforcement agency making the investigation of the student's disabling conditions, if any, prior to the interviewing of the affected student.

7.4. District staff shall not reveal anything that transpires during an investigation that is not a public record except that staff shall testify at any subsequent trial resulting from the investigation, if subpoenaed.

7.5. Information relating to an investigation shall not become a part of a student's school records.

**Implementing Procedures:**

**Revision History:**

<b>Date</b>	<b>Revision</b>	<b>Description</b>
02/21/2014		KLG/KLG-R Converted to QAM

**Approved By:** Chief of Staff (approval on file)