INS-A033-INVESTIGATION BY LAW ENFORCEMENT AGENCIES

ADMINISTRATIVE POLICY

INSTRUCTION

SUMMARY

Salem-Keizer School District believes that everyone has a right to be safe, respected, and welcomed in our schools. Affirmatively defending that right is legally required, educationally ethical, and consistent with our district's mission and core values.

DEFINITIONS

SERIOUS CRIMES

Any criminal act that if left uninvestigated may compromise the safety of students, staff, visitors, or the general public.

MINOR CRIMES

Any criminal act that if left uninvestigated would not compromise the safety of students, staff, visitors, or the general public.

INSTRUCTION

The policy below does not pertain to immigration enforcement activities. For immigration enforcement guidance schools should follow INS – A035.

The below policy does not pertain to child abuse investigations. For child abuse investigations schools should follow PAP-P011 Child Abuse Investigations.

OTHER CRIMINAL INVESTIGATIONS (SERIOUS CRIMES)

Law enforcement officials may enter school facilities if a crime has been committed on district property or to investigate a matter concerning employees and students upon request initiated by either agency officials or by district administrators. The criminal offense being investigated should be serious in nature and reasonably justify the interruption to the student's learning day.

1. The law enforcement official shall contact the school administrator, provide adequate identification, inform the school administrator of the nature of the investigation and provide the name of the student to be interviewed.
2. The school administrator shall verify and record the identity of the law enforcement official or other authority.
3. Requests to interview a student during school hours should be, in the opinion of the school administrator, important and urgent to justify interrupting school activities. Crimes that are serious in nature may include offenses such as assault, weapons possession, or very serious property crime such as burglary or vehicle theft.
4. The act of a law enforcement officer's presence does not constitute importance or urgency. In all cases, if a school requires assistance in determining the importance and urgency of a criminal matter, they may contact Safety and Risk Management Services.
5. Contacting parent(s) or guardian(s) of a student is the primary responsibility of the law enforcement officer. The school administrator will notify the law enforcement officer that it is a procedural requirement within district policy that the law enforcement officer contact the student's parent(s) or guardian **prior** to granting the interview. If the law enforcement officer requests the school contact the parent or guardian, the administrator should make contact with the parent or guardian prior to

the interview commencing.

6. The law enforcement official may specifically direct an administrator that contacting a guardian or parent would compromise an ongoing investigation. In this case, an administrator will make a determination of compelling emergency circumstances and whether or not to produce the student for the interview.
7. If the parent(s) cannot be contacted, the school administrator may grant permission for the questioning to proceed if the student agrees to be interviewed or in the event of compelling emergency circumstances.
    a. The administrator must clearly explain to the student that speaking with law enforcement is a choice and the student has the right to consent to the interview or decline to be interviewed.
8. Unless circumstances dictate otherwise, all such interviews shall be conducted in privacy, out of the view of staff, students and others.
9. A school administrator shall request to be present during the interview unless the student's parent(s) is present and asks the school administrator not to participate or the school administrator is otherwise prohibited from being present by law.
10. The school administrator shall maintain a written record of all such interviews conducted. The written record should contain the name of the law enforcement official, the agency represented, location, date, time started and time ended of the interview as well as a general description of the interview.

OTHER CRIMINAL INVESTIGATIONS (MINOR CRIMES)

When a student is a suspect in a minor criminal act and is to be questioned by a law enforcement official for the purpose of establishing involvement in the act, questioning will be allowed on district property only with the express verbal or written consent of the parent or guardian. In cases of minor crimes, it is the district's stance that such questioning should occur outside school hours, and off district property.

RELEASE OF A STUDENT TO LAW ENFORCMENT

At no time will a student be released to a law enforcement official without one of the following:

a. A warrant
b. A court order
c. Arrest
d. Protective custody resulting from abuse of a child investigation
e. Protective custody pertaining to mental health or suicidal ideation
f. Permission of the parent
g. Child welfare (example: a student is injured and parent is unresponsive to attempts to contact them)

APPLICABILITY

- This policy applies to all Salem Keizer School District employees.

ASSOCIATED DOCUMENTS

- PAP-A001 – Child Abuse and Sexual Conduct
- PAP-P001 – Reports of Suspected Child Abuse
- PAP-W003 – Mandatory Child Abuse Reporting
- PAP-P011 – Child Abuse Investigations
- Safe and Welcoming Schools Resolution
- Safe and Welcoming Schools Resolution (Spanish)

APPROVAL AUTHORITY

- Executive Administration

REVISION HISTORY

- 02/21/2014 – Policy created and approved
- 05/05/2017 – Changed approval authority to executive administration
- 08/23/2019 – Updates around child abuse processes
- 03/30/2021 – Updated safe and welcoming website link
- 12/07/2024 – Updated to accessible template and updated based on legal review
- 08/25/2026- Updated based on legal review