



# INS-A033-INVESTIGATION BY LAW ENFORCEMENT AGENCIES

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## ADMINISTRATIVE POLICY

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### INSTRUCTION

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#### 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.

#### INSTRUCTION

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 officials in the legitimate pursuit of their duties.
2. Law enforcement officials may enter school facilities if a crime has been committed on district property or to investigate matters concerning employees and students upon request initiated by either agency officials or by district administrators. Interviews or investigations by law enforcement officials not based on allegations of abuse of a child, a warrant for an arrest or search or probable cause that an illegal act or crime is occurring or has been committed on district property, may be permitted upon request and with school administrator or designee approval.
  - a. 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.
  - b. The school administrator shall verify and record the identity of the law enforcement official or other authority.
  - c. 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. The school administrator will attempt to notify the student's parent(s) prior to granting the interview.
  - d. 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.
  - e. If the school administrator has been unable to contact the parent(s) then the school administrator shall make a reasonable attempt to notify the parent(s) as soon as possible after the interview.
  - f. All such interviews shall be conducted in privacy, out of the view of staff, students and others.
  - g. A school administrator shall be present at all times 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.
  - h. The school administrator shall maintain a written record of all such interviews conducted.
  - i. This section and these steps do not apply to law enforcement officials investigating allegations of child abuse or warrants for an arrest, search, or probable cause that an illegal act or crime is occurring or has been committed on district property.
3. Questioning of a Student Suspected of a Crime, Arrest or Taking a Student into Custody
  - a. When a student is a suspect in a 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 parental consent. Such questioning should occur outside school hours, off district property.

- b. At no time will a student be released to a law enforcement official without one of the following:
  - i. A warrant
  - ii. A court order
  - iii. Arrest
  - iv. Protective custody resulting from abuse of a child investigation
  - v. Permission of the parent
  - vi. Child welfare (example: a student is injured and parent is unresponsive to attempts to contact them)
- c. In all cases, other than abuse of a child cases, where a student is to be taken from the building by a law enforcement official, the school administrator will verify the law enforcement official's identity and make a reasonable effort to notify the student's parent(s). Law enforcement officials have the primary responsibility for notifying the parent(s) in such instances.
- d. See the Safe and Welcoming Schools Resolution for more information.

#### 4. Reporting Child Abuse

- a. Please see PAP-A001, PAP-P001 and PAP-W003 for more information on reporting suspected child abuse.
- b. Employees may not inform parents of such reports.

#### 5. Investigating Child Abuse

- a. School employees will cooperate with investigations of possible child abuse being conducted by Department of Human Services/Child Welfare or a law enforcement agency. Please see PAP-P011-Child Abuse Investigations for more information.

### **APPLICABILITY**

- This policy applies to all 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