

P2361 LAW ENFORCEMENT CONTACT WITH PUPILS

BOARD POLICY:

School officials will cooperate with law enforcement officers who come to the school for the purposes of questioning or taking into custody pupils who are enrolled in Wichita Public Schools. This cooperative relationship will be governed by policies developed by the Board of Education and local law enforcement that are designed to protect the legal rights of pupils.

Administrative Implemental Procedures:

1. A law enforcement officer shall, unless immediate action upon arrival is deemed necessary, first contact the building principal or designee prior to contacting a pupil regardless of whether the pupil is in the school building or any other part of the school campus. In any event, the building principal or designee shall be contacted as soon as possible.
2. The principal shall determine the exact purpose of the officer's presence by asking the officer to provide written verification indicating the reason(s) for the pupil contact. The principal's responsibility to notify the pupil's lawful custodian will be determined by the reason(s) for the law enforcement contact.

<u>Reason for Pupil Contact</u>	<u>Principal's Response</u>
Witness	Make every reasonable effort to contact Lawful Custodian (All pupils under 14 years of age or if requested by any age pupil).
Suspect	Make every reasonable effort to contact Lawful Custodian.
Victim	Make every reasonable effort to contact Lawful Custodian.
Victim of Physical, Sexual, or other forms of Abuse/Neglect	Do Not Contact Lawful Custodian. Inquire from the Law Enforcement Officer about contacting the lawful custodian.
Taken into Custody (Removed from School)	Make every reasonable effort to contact Lawful Custodian (unless the pupil is a victim of child abuse).

3. The principal will call a pupil who is to be questioned to the office. The principal will inform the pupil of the officer's presence.
 - a. **Witness** – If the pupil is a witness, the principal shall make every reasonable effort to contact the lawful custodian of any elementary pupil, as well as any other pupil who requests that his/her lawful custodian be notified, regardless of the pupil's age. The law enforcement officer will question the pupil in a location that ensures the pupil's privacy and in the presence of the principal or designee, who will serve as an observer unless a lawful custodian is present.

- b. **Suspect** – If the pupil is a suspect, the principal shall make every reasonable effort to contact the lawful custodian and ask the officer not to commence the interview until school officials have had a chance to contact the lawful custodian. The law enforcement officer will question the pupil in a location that ensures the pupil’s privacy and in the presence of the principal or designee, who will serve as an observer unless a lawful custodian is present. The law enforcement officer shall be responsible for informing the pupil of his/her rights and privileges under the law before the pupil is questioned. (See AIP #5.)
 - c. **Victim** – If the pupil is a victim of a crime, other than parental child abuse or neglect, the principal shall make every reasonable effort to contact the lawful custodian. The law enforcement officer will question the pupil in a location that ensures the pupil’s privacy. Questioning will be in the presence of the principal or designee, who will serve as an observer unless a lawful custodian is present except in cases of parental child abuse or neglect.
 - d. **Victim of Abuse/Neglect** (Physical, Sexual, or other forms of child abuse) – If the pupil is a victim of abuse/neglect, the principal shall not contact the lawful custodian. (See AIP #5.)
 - e. **Taken into Custody** (removed from school) – If any pupil is taken into custody and removed from school by a law enforcement officer for any reason other than AIP #3d, the principal shall make every reasonable effort to contact the lawful custodian and advise them of the action taken. The law enforcement officer shall be responsible for informing the pupil of his/her rights and privileges under the law before the pupil is questioned. (See AIP #5.)
4. When a pupil is removed from the school by a law enforcement officer, a written statement by the principal outlining the circumstances, in addition to a Security Incident Report, shall be kept on file.
 5. This policy concerns cases in which the pupil is suspected of being involved in a violation of law or may have knowledge of such a violation. This policy does not pertain to cases involving custody of the pupil or cases involving suspected child abuse or neglect. Refer to BOE Policy 5117 – *Reporting Suspected Child Abuse and/or Neglect*.
 6. In schools where a Wichita Police School Resource Officer (SRO) is assigned or invited, he or she functions as a school staff team member when interacting with pupils regarding school safety and discipline issues. If, or when, an SRO conducts official police business (pupils taken into custody or questioned by the SRO as a witness, victim, or suspect of a crime based on City of Wichita Ordinances or Kansas Statutes), he or she will follow the previously stated procedure, AIP 1, and contact the principal or designee as soon as safely possible, who will contact a lawful custodian where appropriate as stated in AIP 2 and 3.

Administrative Responsibility: Superintendent or designee, and Safety Services

Latest Revision Date: April 2011

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