

5022
Investigations and Arrests by Police
or Other Law Enforcement Officers

Police or other law enforcement officers may be called to the school at the request of school administration, or law enforcement may initiate contact with the school in connection with a criminal investigation that may have occurred outside of school or off school grounds. For criminal investigations that occurred off of school grounds, the school district will encourage law enforcement to conduct investigations separate from school and outside of school hours. Contact between the school and law enforcement authorities on matters involving students shall be made through the office of the superintendent or principal and the law enforcement officer.

Law enforcement officers shall be allowed to conduct an interview at the school only when the interview is conducted at the request of the school or when law enforcement can show that special circumstances exist. This determination should be made by the appropriate building principal or superintendent. Law enforcement officers will be permitted to interview students on school grounds only after providing the superintendent or appropriate building principal with a statement verbally or in writing of the special circumstances that exist to interview the student on school grounds.

Throughout this process, all attempts should be made to avoid embarrassing the student before his or her teachers and peers, and to avoid disrupting the student's and school's education program.

The Following guidelines shall be used when law enforcement and administration deems it necessary for an investigation or questioning by law enforcement to take place on or off school grounds.

1. Law enforcement personnel shall not be allowed to roam about the school until the student is found, and shall remain in the administration office while school personnel seek the student.
2. If possible, the education program of the student should not be disrupted to allow for police questioning of the student during class time.

3. Any questioning by law enforcement officers that is permitted on campus should be conducted in a private room or area where confidentiality can be maintained. This should be an area removed from observation by or contact with other pupils and school personnel.
4. If law enforcement officers are to be allowed to question a student under the age of 18, the principal or school official shall make a reasonable attempt to notify the child's parents before questioning begins, **except in cases of suspected child abuse or child neglect involving the parent or other family member**. The parents should be given the opportunity to come to the school prior to the questioning.
5. If the parents are notified and are able to attend, they should be allowed to be present at the interview.
6. The building principal or designee shall be present during any interview conducted by law enforcement, when held on school grounds, but should not take part in any questioning. The principal or designee should remain a neutral observer at all times.
7. Law enforcement officers will be permitted to take custody of a student if they possess an arrest warrant or if they otherwise assert a lawful basis for doing so. Whenever possible, the arrest or release of the student should be conducted in the building principal's office and out of the view of other students. When a principal or other school official releases a minor student to a law enforcement officer for the purpose of removing the minor from the school premises, he or she shall take immediate steps to notify the parent, guardian, or other responsible adult regarding the release of the minor to the officer and the place to which the minor is reportedly being taken, **except when a minor has been taken into custody as a victim of suspected child abuse**. If the law enforcement officer indicates that the child is being taken into custody because the child is the victim of suspected child abuse, the principal or other school official shall, as a condition of releasing the student to the law enforcement officer, require the officer to sign the statement appended hereto certifying that the child is being removed from school premises because he or she is believed to be the victim of child abuse and that the officer understands and will comply with the legal requirements of NEB. REV. STAT. § 79-294.

Adopted on: **December 20, 2010**
Revised on: **January 16, 2017**
Reviewed on: **November 18, 2019**
Reviewed on: **April 15, 2024**