

Student Interviews, Interrogations, Searches and Arrests

Investigations conducted in the educational environment.

1. All requests from federal and state law enforcement officials, including without limitation immigration enforcement officials, to access student information will be directed to the Office of the Superintendent for response. The Superintendent shall consult legal counsel to ensure compliance with applicable privacy laws and the protection of student rights.
2. Federal and state law enforcement officials, including without limitation immigration enforcement officials, seeking to enter District property shall report to the Central Administration Office of the District and not to individual schools. Except in the event of an emergency or exigent circumstances that present a clear and present risk to student, staff or community safety, such officials shall be required to present their credentials and a valid warrant as a condition of receiving permission from the Superintendent to enter any school.
3. When law enforcement officials request permission to question students when students are in school or participating in school activities, the Superintendent or designee, in consultation with legal counsel, shall ascertain that the law enforcement officer has proper identification and authority.

Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstances exist that present a clear and present risk to student, staff or community safety, such interviews are discouraged during students' class time, and all interviews of students must be conducted in private to avoid disrupting school and to protect student privacy.

Upon request by law enforcement to question a student victim, witness, or suspect, school officials shall make an effort to notify the student's parent/guardian, except in cases involving investigation of reported child abuse where the suspected perpetrator is a member of the student's family, when law enforcement has a court order directing that the student's parent/guardian not be notified, or when an emergency or other exigent circumstances exist.

It is the responsibility of the law enforcement officer interviewing the student victim, witness, or suspect to assure compliance with all applicable procedural safeguards. School personnel are not responsible for law enforcement compliance with the law. If a parent has not given consent or has refused consent for law enforcement questioning, it is the law enforcement officer's responsibility to proceed appropriately.

Adopted: January 2025

LEGAL REFS.: C.R.S. 19-2-511 et seq.
C.R.S. 22-32-109.1 (2)(a)(1)(1) (policy required as part of safe schools plan)

CROSS REFS.: JHB, Parking Lot Searches
JK, Student Discipline, and subcodes