Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5201 Investigations, Arrests, and Other Law Enforcement Contact

The Board desires to maintain a positive working relationship with law enforcement agencies while protecting student rights and educational needs.

"Law enforcement officer" means a county sheriff or deputy sheriff; an officer of a city, village, or township police department; a city, village, or township marshal; a constable; a Michigan State Police officer; a federal law enforcement officer; an investigator of the state Department of Attorney General; a U.S. Immigration and Customs Enforcement (ICE) agent; a Federal Bureau of Investigations (FBI) agent; or any other person who has the legal authority to investigate criminal activity or to effectuate an arrest.

A. Student Records

District personnel may only share personally identifiable information from a student's education record with law enforcement officers pursuant to Policy 5309 and state and federal law.

B. Reporting to Law Enforcement

A District administrator may contact a law enforcement officer any time the administrator suspects criminal activity; activity that threatens the health or safety of a student; or activity that disrupts or potentially disrupts the school environment.

C. School Related Criminal Activity

School related criminal activity is alleged or suspected criminal activity that occurs on school grounds, at a school-sponsored activity or athletic event, or in a vehicle owned or used by the District.

Law enforcement officers may contact and question students at school about school-related criminal activity as provided below.

A law enforcement officer must notify the building principal or designee before questioning a student at school. The building principal or designee must request the law enforcement officer's identification before allowing the student to be questioned.

The building principal or designee will make reasonable attempts to contact a student's Parent before the student is questioned by law enforcement. If the student is 18 years or older or is emancipated, the building principal will make reasonable attempts to contact the student's Parent, if requested by the student. If a Parent cannot be reached after reasonable attempts, the student may be questioned only if the law enforcement officer identifies emergency circumstances requiring immediate questioning. A building principal or designee

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will be present for the questioning. The student will be questioned in a private room and out of sight of others as much as practicable.

The law enforcement officer is responsible for advising the student of all applicable rights, including the right against self-incrimination.

If at any time the building principal or designee believes that the law enforcement officer's questioning is being conducted in an inappropriate manner, the building principal or designee will request that the questioning cease.

D. Non-School Related Criminal Activity

Unless specifically authorized by law, a law enforcement officer may not question a student at school about non-school related criminal activity without Parent consent or an appropriate warrant or court order.

E. Taking a Student into Custody

A law enforcement officer seeking to take a student into custody must contact the building principal or designee. If practicable, the building principal or designee will request that the law enforcement officer provide a copy of the warrant, written Parent consent, court order, or other document authorizing the officer to take the student into custody. If the law enforcement officer takes a student into custody, the building principal or designee will obtain and record the officer's name, badge number, and law enforcement agency; the date, time, and reason for the arrest; and the location to which the student is reportedly being taken.

Whenever practicable, a student should be taken into custody in a manner that minimizes observation by others and disruption to the educational environment.

When a law enforcement officer removes a student from school, the building principal or designee will take immediate steps to notify the student's Parent about the student's removal and the location to which the student is reportedly being taken, except when a student has been taken into custody as a victim of suspected child abuse or neglect.

F. Notification to Superintendent or Designee

The building principal or designee will promptly notify the Superintendent any time a law enforcement officer seeks or demands to question a student, take a student into custody, or remove a student from school.

G. Child Abuse and Neglect

This Policy does not govern child abuse and neglect investigations. See Policy 5701.

Nothing in this Policy limits the authority of District personnel to question a student about suspected misconduct or investigate suspected misconduct at school.

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Legal authority: MCL 380.11a

Date adopted: October 26, 2026

Date revised:

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