



DHS/LAW ENFORCEMENT PROTOCOL FOR INVESTIGATION OF A CHILD

JHFE/KN-AR (2) – Revised 4-8-13

Any investigation of abuse of a child will be directed by the Oregon Department of Human Services or law enforcement officials as required by law. When an administrator is notified that the Department of Human Services or law enforcement would like to interview a student at school, the administrator must request that the investigating official provide the information below. Failure to meet one of the four criteria may result in the administrator’s refusal to allow the student interview on district property.

When an administrator is notified that law enforcement would like to interview a student at school for the purpose of an investigation that is not related to abuse of a child, the administrator must request that the investigating official provide the information below. Failure to meet one of the five criteria may result in the administrator’s refusal to allow the student interview on district property.

- 1. Do you have parental consent?

If “YES”, retrieve the child; If “NO”, ask if we can contact the parent for consent. If “NO”, go to #2

Parent or guardian’s name: _____ Date of consent: _____

- 2. Do you have a court order or warrant allowing the contact? – Attach copy

If “YES”, retrieve the child; If “NO”, go to #3

- 3. Ask the caseworker/law enforcement officer if they have exigent circumstances. (An exigent circumstance is a situation that requires law enforcement to act swiftly to prevent danger to the life or serious damage to the property, or to forestall a suspect’s escape, or the destruction of evidence.)

If “YES”, retrieve the child; If “NO”, and DHS is without law enforcement - **DHS needs to have law enforcement present.**

- 4. This interview is not considered a “seizure” pursuant to state and federal law.

If law enforcement is present ask them if they are directing you to retrieve the child without contacting the parents for consent.

If “YES”, retrieve the child; If “NO” then we contact the parents and obtain consent, or decline to allow the interview at school.

Signature of caseworker/law enforcement

Date

Signature of administrator/designee receiving form

Date

Name of student to be interviewed

Date of interview

Student not available for interview

Student refused to be interviewed

When DHS and/or law enforcement wants to remove a child from school premises during regular school hours, obtain the signed acknowledgement below from the DHS or law enforcement official.

Signature of caseworker/law enforcement

Date

Signature of administrator/designee receiving form

Date

This form should be placed in a separate file and not in student’s educational record file.