

### **Relations with Law Enforcement Agencies**

1. The Superintendent designee will serve as the agency contact for all Law Enforcement Agencies.
2. Administration will consult with law enforcement officials as needed to discuss:
  - a. Whom the school/law enforcement official should call for suspected violations of the law occurring on district property or other common needs;
  - b. How school representatives should handle evidence of a suspected crime/contraband, etc.;
  - c. Board policy and procedures related to law enforcement officials' requests for access to and questioning of students on district property and district parent notification requirements;
  - d. Applicable provisions of district emergency plans and security procedures;
  - e. Special event needs.
3. Active involvement of related community agencies and organizations will be encouraged in an effort to broaden the reference base in the development of district programs and activities and to establish a link for sharing resources.

#### **Law Enforcement Initiated Requests**

##### Interviews/Investigations of Students

1. Interviews or investigations by law enforcement officials not based on allegations of abuse of a child, a warrant for an arrest or search or probable cause that an illegal act or crime is occurring or has been committed on district property, may be permitted upon request and with Superintendent or designee approval.
2. The law enforcement official shall contact the superintendent or designee, properly identify himself/herself, inform the administrator of the nature of the investigation and provide the name of the student to be interviewed.
3. The administrator shall verify and record the identity of the law enforcement official or other authority.
  - a) Requests to interview a student during school hours should be, in the opinion of the administrator, important and urgent to justify interrupting school activities.
  - b) The administrator will attempt to notify the student's parent(s) prior to granting the interview. If the parent(s) does not give consent to have his/her son/daughter interviewed, then the interview will not take place.

- c) If the parent(s) cannot be contacted, the administrator may grant permission for the questioning to proceed if the student agrees to be interviewed or in the event of compelling emergency circumstances.
- d) If the administrator has been unable to contact the parent(s) then the administrator shall make a reasonable attempt to notify the parent(s) as soon as possible after the interview.
- e) All such interviews shall be conducted in privacy, out of the view of staff, students and others.
- f) An administrator shall be present at all times during the interview unless the student's parent(s) is present and asks the administrator not to participate or the district official is otherwise prohibited from being present by law.
- g) The administrator shall maintain a written record of all such interviews conducted.

### **Questioning of a Student Suspected of a Crime, Arrest or Taking a Student into Custody**

1. When a student is a suspect in a criminal act and is to be questioned by a law enforcement agency for the purpose of establishing involvement in the illegal act, questioning will be allowed on district property only with parental consent. Normally, such questioning should occur outside district hours of operation, and off district property.
2. At no time will a student be released to an officer without one of the following:
  - a) A warrant;
  - b) A court order;
  - c) Arrest;
  - d) Protective custody resulting from abuse of a child investigation; and
  - e) Permission of the parent.
3. In all cases, other than abuse of a child cases, where a student is to be taken from the ESD facilities or property by a law enforcement official, the Superintendent will verify the official's identity and make a reasonable effort to notify the student's parent(s). Law enforcement officials have the primary responsibility for notifying the parent(s) in such instances.
4. Any investigation of abuse of a child will be directed by the Oregon Department of Human Services, Community Human Services, or law enforcement officials as required by law. The Superintendent or designee may be present at the interview of the student at the discretion of the investigating official. When the subject matter of the interview or investigation involves child abuse, ESD administrators, staff and employees **shall not** notify the parent(s) .

### **Administrator-Initiated Requests**

On occasion, administrators may need, or be required to seek law enforcement assistance. Any student violation of the ESD's weapons policy shall be reported to the appropriate law enforcement agency. Child abuse also requires immediate referral to the Oregon Department of Human Services, Community Health Services, or law enforcement officials. In addition, the Superintendent or designee may report to law enforcement officials other violations of law occurring on ESD property or at ESD-sponsored activities, as deemed appropriate.

**Linn Benton Lincoln Education  
Service District**

Code: **KN-AR**  
Reviewed: 8/8/2017

**Abuse of a Child or Other Investigations Conducted on District Premises**

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 five criteria may result in the administrator's refusal to allow the student interview on ESD 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 ESD property.

I, \_\_\_\_\_ (Name) of \_\_\_\_\_ (Agency) declare that I have the authority to conduct this student interview based on the following:

1.  Warrant (attach copy)
2.  Court order (attach copy)
3.  Exigent circumstances (briefly describe): \_\_\_\_\_  
\_\_\_\_\_
4.  Parental consent  
Parent or guardian's name: \_\_\_\_\_  
Date consent granted: \_\_\_\_\_
5.  This interview is not considered a "seizure" pursuant to state and federal law.

\_\_\_\_\_  
Signature of interviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of student to be interviewed

\_\_\_\_\_  
Date of interview

- Student not available for interview
- Student refused to be interviewed

\_\_\_\_\_  
Name of ESD official (administrator/  
designee) receiving this form

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