

Cooperation With Law Enforcement Agencies

School officials have a dual responsibility. They must safeguard the rights of students, and even represent students in certain situations. They also must cooperate with law enforcement officers in the legitimate pursuit of their duties.

1. Investigations by Law Enforcement Officers

Police officers investigating a case involving an illegal act in which a student may be involved, or about which the student may have information, shall contact the building principal, or his/her designee, before any effort is made to question a student during school hours.

2. Contacting Parents

- a. Investigations Related to Illegal Acts that Occur Off-Campus and are Not School Related: The principal, or his/her designee, will make a reasonable effort to contact the parent, or guardian, when an officer comes to question or arrest a student related to illegal acts that occur off-campus and that are not school related, unless there is reason to believe that such notification would unduly interfere with the investigation, or that the matter pertains to alleged child abuse. If the principal or designee is unable to reach the parent or guardian the officer should not be delayed further. However, a school official should contact the parent or guardian as soon as possible.
- b. Investigations Related to Violations of School Policies and Rules: The principal, or his/her designee, may involve a police officer in investigating violations of school policies and rules, including student interviews, without first contacting the parent. However, if during the investigation, a student becomes a focal suspect to an illegal act, then it is the responsibility of the principal or designee to make a reasonable effort to contact the parent or guardian before allowing an officer to proceed with an interview.

3. Questioning of Students

The police officer will observe all the procedural safeguards prescribed by law and his/her agency when questioning a student. An administrator, or designee, will always be present when a student is being questioned, unless the issue pertains to child abuse.

4. Taking a Student from the School

The school administrator or designee will not let a police officer, or an official from the Oregon Department of Human Services, Community Human Services (DHS), take a student from a school building without a court order, an arrest warrant, a protective custody order or permission of the parent or guardian.

Child Abuse

1. Reporting Child Abuse

Any school employee having reasonable cause to believe that any child with whom he/she comes in contact (both on and off the job) has suffered abuse, or that any person with whom the official comes in contact has abused a child shall immediately report, or cause a report to be made, to the Oregon Department of Human Services, Community Human Services or a law enforcement agency. Staff members may not inform parents of such reports.

2. Investigations of Child Abuse

School staff will cooperate with investigations of possible child abuse being conducted by DHS or a law enforcement agency. A member of DHS or a law enforcement officer, who is questioning a student in regard to child abuse will determine if a school official may be present in an interview that occurs at school.

END OF POLICY

Legal Reference(s):

[ORS 329.150](#)
[ORS 419B.015](#)

Letter Opinion, Office of the Attorney General (August 18, 1986).