

Relations with Law Enforcement Agencies

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 public charter school property, may be permitted upon request and with superintendent or designee approval.
2. The law enforcement official shall contact the superintendent, properly identify himself or herself, inform the superintendent of the nature of the investigation and provide the name of the student to be interviewed.
3. The superintendent shall verify and record the identity of the law enforcement official or other authority.
4. Requests to interview a student during school hours should be, in the opinion of the superintendent, important and urgent to justify interrupting school activities.
5. The superintendent 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 or her son or daughter interviewed, then the interview should not take place.
6. If the parent(s) cannot be contacted, the superintendent may grant permission for the questioning to proceed if the student agrees to be interviewed or in the event of compelling emergency circumstances.
7. If the superintendent has been unable to contact the parent(s) then the superintendent shall make a reasonable attempt to notify the parent(s) as soon as possible after the interview.
8. All such interviews shall be conducted in privacy, out of the view of staff, students and others.
9. A superintendent shall be present at all times during the interview unless the student's parent(s) is present and asks the superintendent not to participate or the public charter school official is otherwise prohibited from being present by law.
10. The superintendent 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 official for the purpose of establishing involvement in the act, questioning will be allowed on public charter school property only with parental consent. Normally, such questioning should occur outside school hours, off public charter school 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;
 - 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 building 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 director superintendent or designee will request documentation from the investigating official demonstrating that the official has a warrant, a court order, exigent circumstances or parental consent to conduct the interview. If the investigating official does not have this documentation, the superintendent may deny the official's request to interview the student on school property. 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, superintendent and school employees shall not notify the parent.

Superintendent-Initiated Requests

On occasion, the superintendent may need, or be required to seek law enforcement assistance. Any student violation of the public charter school's weapons policy shall be reported to the appropriate law enforcement agency. Abuse of a child also requires immediate referral to the Oregon Department of Human Services, Community Human Services, or law enforcement officials. Additionally, the superintendent and/or designee(s) may report to law enforcement officials, other violations of law occurring on public charter school property or at school-sponsored activities, as deemed appropriate.