

Monument School District 8

Code: JFG-AR
Revised/Reviewed: Unknown
Orig. Code: JFG-AR

Student Searches and Questioning

1. Access to Students During School Time
 - a. Law enforcement officers shall report their presence in a building to the principal or other building administrator and may proceed, with administrative cooperation, in contacting students.
 - b. When a student is called to the office for questioning by a law enforcement officer the student will be asked by the officer, or by an administrator with an officer present, if he/she wishes to speak to the officer. The student may agree or may refuse to voluntarily speak to the officer.
 - c. Any investigation of child abuse is properly directed by Children's Services Division or law enforcement officials. The district has the responsibility to cooperate with the investigating agency and not to shelter the child from any investigation.
 - d. If a child abuse investigation occurs on the district premises, the administrator must be appraised of the situation as long as the investigation does not concern the administrator. The administrator, or staff member who is designated by the administrator, can be present at the interview of the student at the discretion of the investigating official.
 - e. The administrator should inform the investigating official if the student has any disabling conditions.
 - f. Confidential school records cannot be used in an investigation without an appropriate subpoena or to conform with Oregon law.
 - g. Interviews or investigations by law enforcement personnel not based on allegations of child abuse are permitted to provide for the giving and receiving of information in a discussion process. An administrator or designee when possible shall be present during an interview on district premises. The administrator will use discretion in deciding whether such an interview will proceed without a parent present. Reasonable effort will be made to notify the student's parents or guardian before such an interview is held unless the administrator deems this unwarranted.
 - h. When a student is a suspect in a criminal act and is to be interrogated by a law enforcement official for the purpose of establishing involvement in the act, interrogation will be allowed only with parental consent. Normally, interrogation should occur outside the school.
2. Arrest or Taking a Juvenile Into Custody
 - a. Unless a student is placed under arrest by a legal authority, an administrator cannot release a student to a law enforcement officer without one of the following:
 - (1) A court order;
 - (2) A custody document;
 - (3) Permission of the custodial parent or guardian.

Law enforcement personnel removing a student from school shall notify school authorities as soon as practical when the student is taken into custody.
 - b. In all cases where a student is taken from the building by a law enforcement officer, the administrator will make a reasonable effort to notify the student's parent or guardian. Law enforcement personnel have the primary responsibility for notifying parents and for complying with all rules and regulations regarding the handling of juveniles.