Oregon City School District

Code: **KN**
Adopted: 5/05
Readopted: 6/09/08
Orig. Code(s): 5220R

Relations with Law Enforcement Agencies

Access to Students During School Time

The district, as a matter of courtesy, requests that law enforcement officers report their presence in a building to the principal, administrative designee, or school resource officer, unless there is an emergency.

Abuse Cases

Any investigation of child abuse is a mandatory procedure. The Oregon Legislature has authorized a law enforcement officer or a Department of Human Services official to conduct an investigation on a report of child abuse. The district has the responsibility to cooperate with the investigating agency and not to shelter the child from any investigation.

If the investigation occurs on the school premises, the school administrator generally will be apprised of the situation as long as the investigation does not concern the school administrator. The administrator or staff member who is designated by the school administrator may be present at the interview of the student but is not required to be present, and can be disallowed to be present by the investigating official.

The information revealed during an abuse investigation must not be part of school records.

Interviews

Routine interviews by law enforcement personnel are permitted to provide for the giving and receiving of information in a discussion process. Reasonable effort will be made to notify the student's parents or guardian prior to such an interview only when the administrator deems this warranted and allowed by the investigating official. An administrator or designee may be present during an interview on school premises. Generally these interviews will proceed without a parent present.

Suspects and Arrests

Law enforcement officers do have the legal right to interrogate students with or without the permission of school personnel or parents.

Law enforcement officers have the legal right to take students into custody when they deem it appropriate.

In all cases where a student is taken from the building by a law enforcement officer, for reasons other than for child abuse, the school administrator will make a reasonable effort to notify the student's parent or guardian even though law enforcement personnel have the primary responsibility to notify parents.

Records of criminal acts committed on school grounds and/or at school events will be part of the student's education records, but not part of his/her permanent record.

District Resources Officers

District resource officers based at schools and/or liasioning with schools, will often be contacting many students per day. School personnel will usually not be present during these conversations.

District resource officers may cite students for criminal acts. Parents will be notified by the district resource officer, school personnel, or juvenile reception center.

Information given to district resource officers is not privileged and can be acted upon in criminal investigations.

Interagency Agreement

There will be a current interagency agreement between the Oregon City Police Department and the district on file at the district office that addresses procedures for the implementation of this policy.

END OF POLICY

Legal Reference(s):

ORS 329.150
ORS 419B.015

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

Cross Reference(s):

JFG - Student Searches