

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 child abuse, a warrant for an arrest or search or probable cause that an illegal act or crime is occurring or has been committed on ESD property, may be permitted upon request and with principal or designee approval.
2. The law enforcement official shall contact the administrator, 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.
4. Requests to interview a student during school hours should be, in the opinion of the administrator, important and urgent to justify interrupting school activities.
5. 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 should not take place.
6. 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.
7. 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.
8. All such interviews shall be conducted in privacy, out of the view of staff, students and others.
9. A 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 ESD official is otherwise prohibited from being present by law.
10. 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 official for the purpose of establishing involvement in the act, questioning will be allowed on ESD property only with parental consent. Normally, such questioning should occur outside school hours, off ESD 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 child abuse investigation;
 - e. Permission of the parent.
3. In all cases, other than child abuse cases, where a student is to be taken from the building by a law enforcement official, the administrator 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 child abuse will be directed by the Oregon Department of Human Services, Community Human Services, or law enforcement officials as required by law. The administrator 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 administrator may deny the official's request to interview the student on school property. The administrator 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, administrators and school employees shall not notify the parent.

Administrator-Initiated Requests

On occasion, principals 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 Human Services, or law enforcement officials. Additionally, principals and/or designee(s) may report to law enforcement officials, other violations of law occurring on ESD property or at school-sponsored activities, as deemed appropriate.