

North Marion School District 15

Code: KN-AR(1)
Adopted: 10/26/98
Revised/Readopted: 11/13/17; 11/09/20; 10/14/24
Orig. Code(s): KN-AR(1)

Relations with Law Enforcement Agencies**

Request to Interview a Student or to Conduct an Investigation by Law Enforcement (Other Investigations)

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 district property, may be permitted upon request and with administrator or designee approval.
2. The law enforcement official shall contact the administrator or designee, provide adequate identification, inform the administrator of the nature of the investigation and provide the name of the student to be interviewed.
3. The administrator or designee 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 or designee, important and urgent to justify interrupting school activities.
5. The administrator or designee will attempt to notify the student's parent(s) prior to granting the interview. If the parent(s) does not give consent to have their child interviewed, then the interview should not take place.
6. If the parent(s) cannot be contacted, the administrator or designee 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 or designee has been unable to contact the parent(s) then the administrator or designee 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. An administrator or designee shall be present at all times during the interview unless the student's parent(s) is present and asks the administrator or designee not to participate or the district official is otherwise prohibited from being present by law.
10. The administrator or designee shall maintain a written record of all such interviews conducted.

Questioning of a Student Suspected of a Crime, Arrest of a Student 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 district property only with parental consent. Normally, such questioning should occur outside school hours, off district property.
2. At no time will a student be released to a law enforcement 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 administrator or designee 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. Administrators must request law enforcement officials to complete the appropriate form provided by the district. (See KN-AR(2) - Investigations Conducted on District Premises)

Abuse of a Child Investigations

Any investigation of abuse of a child will be directed by the Oregon Department of Human Services (DHS) or law enforcement officials as required by law. The DHS or law enforcement agency will first notify the administrator of the investigation, unless the administrator is a subject of the investigation. The administrator or designee must request the investigating official fill out the appropriate form (See JHFE-AR(2) – Abuse of a Child Investigations Conducted on District Premises). If the investigating official refuses to fill out or sign the form, the administrator may complete the form but should not deny the official's request to interview the student on school property. If the investigating official does not have adequate identification the administrator shall refuse access to the student. 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 abuse of a child, administrators and school employees shall not notify the parents.

Administrator-Initiated Requests

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