

LAW ENFORCEMENT OFFICIALS

It shall be the policy of Regional School District No. 7 that a cooperative effort be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned to conduct an investigation of alleged criminal conduct on the school premises or during a school-sponsored activity or to maintain the educational environment. They may also be summoned to maintain or restore order when the presence of such officers is necessary to prevent injury to persons or property. Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions. The school district's administrators shall at all times act in a manner that protects and guarantees the rights of students and parents.

(cf. 1411 Law Enforcement Agencies)

Administrative Regulations to Policy 5145.11
Law Enforcement Officials

Investigation Conducted in the Educational Environment

A. Initiated by School Administrators

1. Conducted by Administrators

Principals and their designees shall have the authority and duty to conduct investigations and to question students pertaining to infractions of school rules, whether or not the alleged conduct is a violation of criminal law. Such investigations shall be conducted in a way which does not unduly interfere with school activities.

2. Conducted by Law Enforcement Officers

- a. The principal shall determine when necessity exists to contact law enforcement officers when the behavior of persons jeopardizes the safety of students, school staff, or school property, or interferes with the operation of the school or to conduct an investigation of alleged criminal behavior.
- b. The principal may request that law enforcement officers conduct an investigation and question students who are potential witnesses of such alleged criminal behavior during school hours. A reasonable attempt shall be made to contact the student's parents, guardian, or representative prior to questioning by law enforcement officers. Reasonable requests of the parents, guardian, or representative shall be observed. Such contacts or attempted contacts with parents, guardian, or representative shall be documented by the administrator involved. In the absence of a student's parents or guardian, the principal or other designated certificated school staff person shall be present during any questioning of such student. The principal or the principal's designee shall document what generally occurred during the interview.
- c. If the investigation has centered on any particular student suspected of such alleged criminal activity, the procedures for taking students into custody by the police set forth in Section II shall be followed to the extent that they do not interfere with reasonable law enforcement procedures.

Administrative Regulations to Policy 5145.11
Law Enforcement Officials (continued...)

B. Initiated by Law Enforcement Officers

Although cooperation with law enforcement officers will be maintained, it should not normally be necessary for law enforcement officers to initiate and conduct any investigation and questioning on the school premises during school hours pertaining to criminal activities unrelated to the operation of the school. Only when law enforcement officers can show an absolute need to do so will they be voluntarily permitted to conduct such an investigation during school hours. These circumstances should ordinarily be limited to those in which delay might result in danger to any person, flight from the jurisdiction by a person reasonably suspected of a crime, or destruction of evidence.

In such cases, the officers shall be requested to obtain prior approval of the principal or other designated person before beginning such an investigation on school premises. The administrator shall document the circumstances of such investigations as soon as practicable. Alleged criminal behavior related to the school environment brought to the principal's attention by law enforcement officers shall be dealt with under the provisions of Section I.A.2.

C. Questioning of Students During Investigation

1. Violations of School Rules

In instances where school rules have allegedly been violated, the principal or designee may contact the suspected rule violator or potential witness to the infraction.

- a. The suspect student should be advised orally of the alleged offense and of the evidence, if any, against the student. The student shall be informed of possible disciplinary consequences connected with the alleged infraction.
- b. In questioning a potential student witness to an alleged disciplinary infraction, care should be taken by the administrator to ensure there is a reasonable likelihood that the student was indeed a witness. School officials should not engage in detailed questioning of students at random without reasonable cause in hope of gathering information as to misconduct. Probable witnesses should be given the opportunity to give their consent before answering questions of school officials.

Administrative Regulations to Policy 5145.11
Law Enforcement Officials (continued...)

2. Violations of Criminal Law

- a. During an investigation of a violation of school rules, it may come to the attention of the administrator that the investigated activity may also be a violation of criminal law. In proceeding with the investigation, the administrator can attempt to ascertain whether there is sufficient justification to believe that a criminal offense was committed that warrants contacting law enforcement officials.
- b. Where a suspected violation of criminal law involving the operation of the school has occurred on the school grounds or during a school-sponsored activity, law enforcement officials may be notified and their presence requested for the questioning of suspected students. Unless circumstances dictate otherwise, questioning of the student shall not begin or continue until the law enforcement officers arrive. Reasonable attempts should be made to contact a student's parents, guardian, or representative who, unless an emergency exists, shall be given the opportunity to confer with the student and to be present with the student during questioning.

The administrator shall document the contact or attempted contact with the student's parents, guardian, or representative. In the absence of parent and student consent, a student should not be questioned by law enforcement officers. The law officers may wish to advise the student of his or her legal rights. If the parent and the student consent to the questioning, the investigation can continue. If the parent or student refuse consent to the questioning, the law enforcement officers will determine the course of action to be pursued.

Taking a Student into Custody

- A. When it is necessary to take a student into custody on school premises, and if time permits, the law enforcement officer shall be requested to contact the school principal and relate the circumstances necessitating such action. When possible, the principal shall have the student summoned to the principal's office where the student may be taken into custody.
- B. When an emergency situation exists, the school principal may summon law enforcement officials to the school to take a student into custody.

Administrative Regulations to Policy 5145.11
Law Enforcement Officials (continued...)

Taking a Student into Custody (continued...)

- C. When a student has been taken into custody or arrested on school premises without prior notification given to the principal, the school staff present shall encourage the law enforcement officials to notify the principal of the circumstances as quickly as possible. In the event the officers decline to notify the principal, the school staff members present shall immediately notify the principal.

- D. If at all possible, the parents, guardian, or representative of the student shall be notified by the principal or other school administrator before the student is taken into custody by law enforcement officers, or as quickly as possible thereafter. The administrator shall document such notification or attempted notification.

Disturbance of School Environment

Law enforcement officers may be requested to assist in controlling disturbances of the school environment which the principal or other school administrator has found to be unmanageable by school personnel, and which have the potential of causing harm to students, staff members, and other persons, or to property. Such potential of harm includes members of the general public who exhibit undesirable or illegal conduct on school premises or at a school event held on school property, or who have been requested to leave by an administrator, but have refused or failed to do so.

Searches of Students, Lockers, and Inanimate Objects

- A. Searches of the person of students, lockers, and inanimate objects, including motor vehicles on school district property, shall be conducted according to school district policy #5145.12.

- B. Searches of the person of students, lockers, and inanimate objects, including motor vehicles on school district property, shall not be conducted at the mere request of law enforcement officers. Only when law enforcement officers have a search warrant or when on their authority they order the cooperation of school administrators, will school administrators and staff agree to conduct searches at school at the request of law enforcement officials.

Law Enforcement Officials (continued...)

Students with Disabilities

- A. School administrators and staff members shall not discriminate on the basis of disabilities. When decisions are made with regard to involvement of law enforcement officers at school or at school events, school administrators and staff members making such decisions shall do so without regard to whether the particular student or students involved have disabilities.
- B. When law enforcement officials are contacted by school officials regarding a student with disabilities, or law enforcement officials interview or take a student with disabilities into custody, the school's administration will immediately notify members of the student's individual education program team and that the team meet as soon as possible to consider the student's circumstances in light of his or her special education needs.

Education Records

Education records of students and information contained in student education records may be shared with law enforcement officials in only three circumstances: written consent of the student's parents, legal guardian, or an adult student; proper judicial or administrative agency subpoena or order; a bona fide emergency situation in which the health or safety of the student or another person is involved. The burden of establishing appropriate grounds for sharing student education records or information contained in education records lies with the law enforcement personnel requesting the records.

Coordination of Policies with Law Enforcement Officials

School administrators shall meet at least annually with local law enforcement officials to discuss the school district's policy and rules regarding law enforcement contacts with the school district. Law enforcement officials will be asked to instruct their staff members regarding the terms of the school's policy and rules.

Staff Development

School staff members shall be made familiar with the content of these provisions at least annually.