

1 **3232 STUDENTS**

2 Investigations

3 Investigations by Law Enforcement

4 When a student becomes involved with law enforcement officers due to events outside of the school
5 environment and officers other than a SRO must interact with a student, the officer(s) is requested to
6 confer with the student when he/she is not under the jurisdiction of the school. If this cannot be arranged,
7 the SRO is the first person of contact for law enforcement. If for any reason the SRO is not available to
8 respond to a request, the following steps shall be taken to cooperate with the authorities:

- 9 a. In cases where this no threat to person or property, the officer shall contact the school principal
10 and present proper identification in all occasions upon his/her arrival on school premises.
- 11 b. Parents or guardians shall be notified by the building administrator or designee, as soon as
12 possible. The building administrator or designee shall make every effort to inform parents or
13 guardians of the intent of the law enforcement officers except when that notification may
14 compromise the student’s safety.
- 15 c. The student’s parent or guardian should be present, if practical, during any interrogation on
16 school premises, by law enforcement other than a SRO.

17 Taking a Student into Custody

18 When it is necessary to take a student into custody on school premises and time permits, the law
19 enforcement officer shall notify the principal and relate the circumstances necessitating such action.
20 When students are removed from school for any reason by law enforcement authorities, every reasonable
21 effort will be made by school officials to notify the student’s parents or guardians immediately. Such effort
22 shall be documented.

23 School officials shall not release students to law enforcement authorities voluntarily unless the student
24 has been placed under arrest, or unless the parent /guardian or the adult student agrees to the release.
25 Whenever an attempt to remove a student from school occurs without notification of probable cause, an
26 arrest warrant, court order, or without acquiescence of the parent/ guardian, or the adult student, the
27 administrator shall immediately notify a superior of the law enforcement officers involved to make
28 objection to the removal of the student and shall attempt to notify the parent or guardian of the student.

29 When possible, the principal shall have the student summoned to the principal’s office where the student
30 may be taken into custody. All practical steps shall be taken to ensure a minimum of embarrassment or
31 invasion of privacy of the student and disruption to the school environment.

32 The Assistant Superintendent’s office shall be notified immediately of any removal of a student from
33 school by law enforcement officers under any circumstances.

34 Cross Reference:

35 3200 Student Rights and Responsibilities

36 3650 School Resource Officer

- 1 Legal Reference:
- 2 § 20-1-206, MCA Disturbance of school - penalty
- 3 § 20-5-201, MCA Duties and sanctions
- 4 § 45-8-101, MCA Disorderly conduct

- 5 Policy History:
- 6 Adopted on: November 14, 2016
- 7 Reviewed on:
- 8 Revised on: