

LAW ENFORCEMENT ACCESS TO STUDENTS

It is the desire and intention of the Board of Trustees to maintain a spirit of cooperation between the school district and local law enforcement authorities in areas of mutual concern. Consistent with the school district responsibility for the care and supervision of students during school hours, on school property, the following policy is hereby established relative to law enforcement access to students attending school.

A. Arrest

1. A student may be removed from school grounds and taken into law enforcement custody only upon prior notice to the principal or designee that probable cause for detention or arrest exists. If an immediate risk of harm exists, law enforcement authorities may remove a student from school grounds and take him or her into law enforcement custody without prior notice to the principal/designee. If the situation is not urgent, the principal/designee may request that notice be given in a written statement and the law enforcement officer may respond with an informal written statement that probable cause exists for detention or arrest.
2. Upon notice from law enforcement authorities of an impending detention or arrest, the student involved shall be summoned to the administrative offices of the school and detained until taken into law enforcement custody, unless other procedures are warranted by the situation as outlined below.
3. Every effort shall be made to assure that the arrest procedure is carried out in a manner that will not disturb classroom activities or call the arrest to the attention of other students. The arrest should take place in the presence of the principal/designee within the administrative offices of the school and not in view of disinterested parties. However, when the law enforcement authority has informed the principal/designee that safety circumstances so require (for example, because of the serious nature of an alleged crime, flight risk, potential for violent resistance, or student known to be carrying weapons), the arrest may take place in the classroom. In such circumstances, the officer may respond to the classroom with the principal/designee and arrest the student in the classroom. The safety and security of others present will be kept in mind at all times.
4. The principal/designee or a school counselor must promptly attempt to notify a parent/guardian of any student who is removed from school and taken into law enforcement custody. Efforts to contact parents/guardians must be documented.
5. After the arrest, the principal/designee should document the circumstances of the arrest in a written statement, including the verbal notices, if any, given by the law

enforcement office.

B. Interviews

1. A law enforcement authority must obtain the approval of the principal/designee prior to interviewing a student in school.
2. A student shall not be removed from class or made available for law enforcement interview unless a parent/guardian of the student has been previously notified and given an opportunity to be present, except when the law enforcement authority has presented to the principal/designee a written statement setting forth his or her determination that one of the following circumstances exist:
 - a. The reason for the interview is in connection with the investigation of child abuse or other criminal activity by the student's parent/guardian, or
 - b. Time is of the essence and delay of the interview would jeopardize public safety, or
 - c. Notification or presence of a parent/guardian would otherwise jeopardize public safety.
3. If the principal/designee is satisfied that either (1) a parent/guardian has been notified and allowed the opportunity to be present, or (2) notice or presence of a parent/guardian is not required as set forth above, interview of a student may be undertaken within the school administrative offices.
4. If a parent/guardian is not present, the principal/designee or counselor should be in attendance during the interview and promptly thereafter the principal/designee should inform a parent/guardian of the interview, unless the law enforcement authority in writing directs the principal/designee otherwise.

END OF POLICY