MITCH Charter School

Code: KN-AR(1)
Revised/Reviewed: 7/20/23

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 public charter school property, may be permitted upon request and with executive director or vice principal approval.

2. The law enforcement official shall contact the executive director or vice principal, provide adequate identification, inform the executive director or vice principal of the nature of the investigation and provide the name of the student to be interviewed.

3. The executive director or vice principal 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 executive director or vice principal, important and urgent to justify interrupting school activities.

5. The executive director or vice principal 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 executive director or vice principal 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 executive director or vice principal has been unable to contact the parent(s) then the executive director or vice principal 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. The executive director or vice principal shall be present at all times during the interview unless the student's parent(s) is present and asks the executive director not to participate or the public charter school official is otherwise prohibited from being present by law.

10. The executive director or vice principal 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 public charter school property only with parental consent. Normally, such questioning should occur outside school hours and off public charter school 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 executive director 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 public charter school. (See KN-AR(2) – Investigations Conducted on School Premises) If the law enforcement refuses to sign the form the administrator will note such refusal on the form. The administrator will maintain this written record of the visit.

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 executive director or vice principal of the investigation, unless the executive director is a subject of the investigation. The executive director or vice principal will request identification from the investigating official and must request the investigating official fill out the appropriate form (see JHFE/GBNAB-AR(2) – Abuse of a Child Investigations Conducted on School Premises). If the investigating official refuses to fill out or sign the form, the executive director or vice principal may complete the form but should not deny the official's request to interview the student on public charter school property. If the investigating official does not have adequate identification the executive director or vice principal shall refuse access to the student. The executive director or vice principal 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, the executive director or vice principal may need, or be required to seek law enforcement assistance. Any student violation of the public charter school'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, the executive director and/or vice principal may report to law enforcement officials, other violations of law occurring on public charter school property or at public charter school-sponsored activities, as deemed appropriate.