

Police Investigations and Interviews on Campus

Please note that failure to cooperate with law enforcement officials may bring a charge of obstructing an ongoing investigation. District personnel are to cooperate with and make it possible for law enforcement personnel to interview, detain or to take into custody a student on school premises.

1. It is the responsibility of a law enforcement officer who wishes to interview a student at school for law enforcement purposes to contact that student's parent or guardian if law enforcement believe they need to obtain advance authorization for the interview. For this purpose, district administrators shall provide the telephone number of a student's parent or guardian to a requesting law enforcement officer unless the parent or guardian has filed written notice with the school that the student's/parent's phone number should not be disclosed under the district's directory information procedure. (See Board policy JOA - Directory Information.) However, district administrators shall disclose personally identifiable information from a student's education record to law enforcement, child protective and/or health-care professional agencies. This disclosure must be in connection with a health or safety emergency when knowledge of the information is necessary to protect the health and safety of a student or other individual. The law enforcement officer, child protective agent and/or health care professional determines when the information is required.
2. District personnel will ask the law enforcement officer to sign a Notification Record (see attached) in the following instances:
 - a. If the law enforcement officer determines that contacting the parent or guardian in advance will:
 - (1) Interfere with legitimate law enforcement business;
 - (2) Create a health or safety risk to a student or others.
 - b. The student's parent or guardian refuses consent;
 - c. The student's parent or guardian consents to the student being interviewed;
 - d. The law enforcement officer determines that he/she may interview the student without parental or guardian notification.
3. Ordinarily, the principal or designated staff member may be present during an interview of a student by law enforcement. Exceptional circumstances may make this inappropriate. Upon request from the student, or if the law enforcement officer insists that investigation circumstances make such a presence inappropriate, the district employee should not be present.
4. District employees may not require that a student answer an officer's questions. School personnel have no authority to waive the student's constitutional right to remain silent or have an attorney present. If the law enforcement officer determines a student possesses sufficient understanding to

effectively waive these rights, he/she does not need any assistance from others to do so. If the student does not understand or is too immature to understand, then the only source of a waiver should be from the student's parents or guardian. On the other hand, district employees have no obligation, and ordinarily should not assume, to interfere with the officer's conduct of the interview. A law enforcement officer, if deemed appropriate, will notify the student's parents prior to the interview.

5. If an officer comes to arrest a student or has a warrant or summons for that purpose, it is appropriate for school personnel, and all others, to aid in the apprehension and detention of that student. District administrators should determine from the law enforcement officer any special considerations for bringing the student to the office for the interview: i.e., will the student fight or flee? To maximize the student suspect's safety and that of other students, teachers and staff, the building administrator should seek and follow guidance provided by the law enforcement officer.
6. When a student is arrested and taken from the school, it is law enforcement's statutory responsibility to notify the parent/guardian of the charge and arrested juvenile's location. Nothing precludes school authorities from coordinating with the law enforcement officer to also notify the student's parents or guardian providing the name of the officer and agency involved.
7. Staff will treat the fact that an investigation is occurring and the facts resulting from such investigation as confidential. The administrator will keep the district office apprised of any officer's presence in their respective building.

Agreements with local law enforcement agencies may modify this administrative regulation.

**Lincoln County School District
Notification Record**

I take sole responsibility for notifying the parents or guardian of _____
(student's name)
regarding my investigation/interview.

(Please check the appropriate box)

- G Parents/Guardian consented to my interview.
- G No consent - interview conducted.
- G No notice to parent or guardian due to emergency circumstances.
- G No contact with parents/interview conducted.

Date: _____

I am an officer with: (Identify agency)

Officer's Signature and Badge #

Agency Case Number: _____