

## **RELATIONS WITH GOVERNMENTAL AGENCIES & LOCAL GOVERNMENTAL AUTHORITIES**

**FHEA**

### **Taken into Custody**

The District shall permit a student to be taken into custody:

1. Pursuant to an order of the juvenile court.
2. Pursuant to the laws of arrest.
3. By a law enforcement officer if there are reasonable grounds to believe the student has engaged in delinquent conduct or conduct in need of supervision.
4. By a probation officer if there are reasonable grounds to believe the student has violated a condition of probation imposed by the juvenile court.
5. By an authorized representative of the Utah Department of Social Services, a law enforcement officer, or a juvenile probation officer, without a court order under conditions relating to the student's physical health or safety or the physical health or safety of others.

### **Law Enforcement Interviews with Students During School Hours**

The local law enforcement agency in the area is a valued partner in the educational system at North Summit School District. Summit County Sheriff's Department provides one full-time resource officer at no cost to the District. We are committed to working together with them for the betterment of the community.

In regard to officers interviewing students, the District shall permit local law enforcement to interview students during school hours for **school-related offenses** that the principal or designee determines to warrant such action. The principal or designee will coordinate with the school resource officer to schedule the interview. Before the interview takes place, the principal or designee will make a good faith effort to call the parent/guardian to inform the parent/guardian of the issue requiring the involvement of law enforcement. The principal or designee will inform the parent/guardian of the parent's right to be present at the interview only if the student is under 14 years of age and is a suspect in criminal activity. The principal/designee will determine if a school employee will be present in a student interview by police for a school-related offense.

The term "school-related" refers to any time during the scheduled school day when a student is in attendance, including the lunch period off campus, extra-curricular activities inside and outside the school district boundaries, field trips, events on campus after school hours, and an offense committed on campus at any time. If a student commits an offense away from school on a scheduled school day but has not been in attendance or has checked out of school prior, the offense will be considered non-school related.

Because the District wants to encourage ALL students to attend school regularly and feel supported by school personnel, if students commit offenses that are **non-school related**, the agreement between law enforcement and the District is not to allow interviews to be conducted on campus by an officer, except in the following circumstances:

1. If after exhausting all efforts to handle the offense outside of school time and off school property, the deputy may approach the principal or designee and request the help of the school. The principal or designee will then determine whether the interview should take place. If it is determined that the interview can take place, the principal or designee will contact the parent/guardian and ask for permission to proceed with the interview. The parent/guardian will have final determination as to whether the interview proceeds or not. If the parent/guardian expresses the desire to be present, the interview must be delayed until the parent/guardian can attend. If the interview takes place, the principal will select a time and location that is least disruptive to the student's schedule and the school generally.
2. If law enforcement determines that time is of the essence to safeguard the student, other students, or evidence to the case, the principal or designee will assist the deputy in scheduling the interview. The principal or designee will call the parent/guardian to provide notice of the necessity for the on campus interview.
3. If the student is suspected of a serious crime that would require immediate action by law enforcement, the principal or designee will assist in scheduling the interview. The principal or designee will call the parent/guardian to provide notice of the necessity to conduct the on campus interview.

If a law enforcement officer interviews a student—for either a school-related or a non-school related offense--the law enforcement standards will apply. If a school employee interviews and/or searches a student—and only school disciplinary consequences are at stake--the school administrative standards apply.

The District will, by law, permit local law enforcement or State Division of Child and Family Services personnel to interview students during school hours if the offense is related to **abuse or neglect**, consistent with Utah Code §62A-4a-409(7) and (8). The principal or designee will assist DCFS or law enforcement personnel who provide appropriate identification in facilitating the interview. The principal or designee shall **not** call the parent/guardian to provide notice of the interview. The responsibility to notify parents/guardians under appropriate circumstances is the responsibility of DCFS or law enforcement. School personnel may notify parents/guardians that the child is no longer in the school's care if DCFS or law enforcement takes custody of the child and removes the child from school property during the school day. When a child is being interviewed at school based on a report of suspected child abuse or neglect, the child has a right to have a "support person" present during the interview, consistent with Utah Code §62A-4a-409(8)(f). The support person may be a school administrator, teacher, or school counselor.

