

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Investigations by Law Enforcement Officers at School

When it becomes necessary for any law enforcement officer to interrogate a student on Essex County Public Schools' premises, the principal is contacted immediately. The principal or principal's designee makes a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the interrogation. If the parent or guardian cannot be present for the interrogation, then the principal or principal's designee is present throughout the interrogation.

Service of Process at School

Should there be a need to serve a student or school employee with any "legal process", the Essex County School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they should be served at the principal's office of the school which the student attends or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on Essex County Public Schools' property, it may be served only by a sheriff or his deputy.

Development of Programs

The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on Essex County Public Schools' property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with Policy KN Sex Offender and Crimes Against Minors Registry Information.

Report to Law Enforcement Officials

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to local law-enforcement officials all incidents listed below that may constitute a felony offense:

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code §§ 18.2-47 or 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity; or
2. any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school

- property or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications; or
3. any threats against school personnel while on a school bus, on school property or at school-sponsored activity; or
 4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto school property;
 5. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1 or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on Essex County Public Schools' property or at a school-sponsored activity; or
 6. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.

The principal may report to local law enforcement officials any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on Essex County Public Schools' property or at a school-sponsored activity.

If the local law-enforcement agency employs school resource officers, the Essex County School Board and the agency have a memorandum of understanding that sets forth the powers and duties of the school resource officers. The memorandum of understanding addresses the use of seclusion and restraint by law enforcement personnel in school settings. The Essex County School Board and the law-enforcement agency review and amend or affirm the memorandum of understanding at least once every two years or at any time upon the request of either party. The Essex County School Board provides notice and an opportunity for public input during each review period for the memorandum of understanding. The current memorandum of understanding is conspicuously published on the Essex County Public Schools' Division website.

Adopted: 9/10/2018
Revised: 11/9/2020
5/10/2021

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 8.01-293, 9.1-101, 16.1-264, 22.1-279.3:1, 22.1-279.9, 22.1-280.2:1, 22.1-280.2:3, 22.1-293.

8 VAC 20-750-70.

Cross Refs.: JFC	Student Conduct
JGD/JGE	Student Suspension/Expulsion
CLA	Reporting Acts of Violence and Substance Abuse

KN Sex Offender and Crimes Against Minors Registry
Information