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## **INTERVIEWING STUDENTS AT SCHOOL BY POLICE OR YOUTH FAMILY SERVICES**

### **Background**

Interviews of students at school by police officers or child welfare workers will be permitted in accordance with pertinent legislation.

### **Procedures**

1. It is the responsibility of the principal to safeguard the rights and well-being of every student in the school.
2. Interviews of school students by police or child welfare workers will be permitted where circumstances make such interviews essential.
3. It is expected that police or child welfare workers will not request interviews with students at the school if arrangements can be made by them for the interview to take place at an alternate location outside of school hours.
4. A police officer effecting a proper arrest or in possession of a search warrant may enter upon school premises and carry out their duties pursuant to the warrant.
5. A police officer may enter school premises if they are in active pursuit of someone who is alleged to have committed a crime and is or may be on school premises.
6. A child welfare worker investigating a complaint of neglect or abuse of a child may enter the school premises and carry out their duties pursuant to the investigation in collaboration with the principal.
7. A police officer or child welfare worker entering school premises for any reason will apprise the principal of the reason for and nature of the visit before contacting any students.
8. If the police officer is in active pursuit of someone, the police officer will notify the principal at the first opportunity.
9. If either sections 4 or 6 are not met, interviews with students will only be allowed to take place at the discretion of the principal. In the event that the principal deems the interview necessary, they may allow the interview to proceed in accordance with the Youth Criminal Justice Act or the Child, Youth and Family Enhancement Act.
10. Prior to an interview with a child, the principal will attempt to contact the child's parent(s) to inform them that an interview is to take place.

11. An interview will not be permitted without the consent of the parent(s) except as noted below or in the case of sections 4 or 5 above.
  - 11.1 An exception to notifying the parent(s) arises when an interview or apprehension takes place where the student is allegedly a victim of abuse by a parent.
  - 11.2 In such cases the interview will be allowed and the principal will not advise the parent(s).
  - 11.3 If a student is apprehended without the knowledge of the parent(s), and the parent(s) inquires about the student's whereabouts, the principal may provide the name and telephone number of the child welfare worker.
12. If the parent(s) agree that an interview may take place, the principal will take the student to the office.
  - 12.1 If the interview is to proceed under the Child, Youth and Family Enhancement Act, the child welfare worker will determine who will be present for the interview. There is no right for school personnel to be present during such an interview.
  - 12.2 If the interview is to proceed under the auspices of the Youth Criminal Justice Act, the student is entitled to have an adult present during the interview by police. The right belongs to the student who determines and selects the adult to be present, and who, in fact, may wish to waive the right to have an adult present.
13. The principal will keep a written log of all interviews of students by police officers and child welfare workers that take place at school.

Reference: Section 11,32,33,52,53,197,222 Education Act  
Child, Youth and Family Enhancement Act  
Controlled Drugs and Substances Act  
Youth Criminal Justice Act Criminal Code (Canada)

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