



Investigation by Police in School - Procedure

1. General Guidelines

- a. Police shall not conduct investigations in school except when it is absolutely necessary for them to do so in the proper discharge of their duties.
- b. On matters not related to school activities, only the parent/legal guardian of the student or a law enforcement officer is permitted to interview a student on school premises. In some circumstances, as covered by *The Child and Family Services Act*, Child and Family Service authorities have the right to interview students in the school.
- c. A police officer may request the home address of a student in order to carry out an investigation outside the school. Where the Director/Principal is satisfied that the police are conducting an investigation for law enforcement purposes or crime prevention, *The Freedom of Information and Protection of Privacy Act* (FIPPA) allows the Director/Principal to provide the address.

2. Investigation of Students 12 Years of Age and Over

- a. School staff shall cooperate with police provided that any person(s) claiming to be a police officer satisfies the school Director/Principal as to his/her identity and the purpose of the visit.
- b. A police officer shall be allowed to interview a student in school or on school premises with the permission of the parent/guardian and school Director/Principal. In the event that the parent/guardian cannot be contacted, it is left to the discretion of the Director/Principal to have a student interviewed and/or removed from the school.
- c. The Director/Principal shall encourage the police to conduct the interview away from the school. In the event this is not possible or practical, the Director/Principal will provide a private location for the interview. In the absence of a parent/guardian, if the student is under eighteen (18) years of age, the Principal will attend the interview, or ensure that another adult chosen by the student is present.
- d. When requesting an interview with a student, the police officer is responsible for informing the student that:

The student is under no obligation to give a statement.

Any statement given by the student may be used as evidence in proceedings against him/her.

The student has the right to consult with:

- Counsel or parents (except for students under the age of 12 who do not have a right to consult with counsel); or,
- In the absence of a parent, an adult relative; or in the absence of a parents and adult relative, any other appropriate adult (over 18) of his/her choice.

e. The Director/Principal shall ensure that any statement made by the student is made in the presence of the person consulted in d. above unless the student expressly waives that right in writing.

f. If the student requests the Director/Principal, another staff member or other adult to be his representative present during the interview, the individual requested to be present should comply with the student's request. However, the staff member is not obligated, and if the request is refused, the student must select some other adult to be present, or the interview be delayed until a parent/guardian can be contacted to give permission for the interview to proceed. A student of eighteen years or older may waive this requirement of the school.

g. The Director/Principal does not have the automatic right to be present at an interview involving a student 12 years of age and over. The Director/Principal cannot assume or state that he/she is the student's representative/advocate in the interview. Selection of the person/counsel is the student's right.

h. The Director/Principal can request to be a silent observer of the interview. The police officer would then be responsible for informing the student of the request. If the student does not consent, the Director/Principal may then determine to let the interview proceed without the Director/Principal in attendance, or to request that the interview be removed from the school premises.

i. In the event that apprehension of a student is necessary, the matter shall be handled with discretion. Any school-related violent incidents shall be responded to in a manner appropriate in the circumstances.

j. Before the removal of a student from the school, the Director/Principal shall request the police officer to advise the parent or guardian of the action being taken.

k. The board chair shall be advised by telephone as soon as possible if a student is removed from the school by the police. The Director/Principal shall provide a written report to the board Chair of the details related to the incident.

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