

POLICE INTERVIEWING OF STUDENTS

Background

The District seeks to cooperate with police in investigations, while not compromising the legal rights of the students in its care. Generally, students on school premises or at school-sponsored events are not to be formally interviewed by police officers as part of a formal investigation process.

The District recognizes it is possible, due to extenuating circumstances or emergent situations, that a member of the RCMP might need to interview a student as part of a formal investigation. In this case, this Administrative Procedure will apply.

Procedures

1. The District will permit RCMP members acting in a liaison capacity to meet or discuss with students or informally interview them as part of the members' regular duties.
2. In the event that a member of the RCMP wishes to interview or question a student on school premises as part of formal police investigation, the Principal shall:
 - 2.1. Request that the police officer delay the interview until such time as the Principal can obtain the presence of the student's parent, and
 - 2.2. Immediately attempt to contact the student's parents, except in unusual circumstances when requested by the police.
 - 2.2.1. These exceptional circumstances are generally limited to situations where the allegations involve the parent(s).
 - 2.2.2. In these circumstances, the RCMP will be requested to conduct the interview at a location other than the school (e.g. at the office of a social service agency), where the Principal or a representative of the social service agency would also attend the interview.
3. The Principal shall attend the interview in the following circumstances:
 - 3.1. When parents cannot be contacted or are unable to attend - In these situations, the Principal shall summarize the meeting in writing and provide a copy to the parent with a copy to be retained at the school in a file for that purpose, with notes being subject to the terms of the Freedom of Information and Protection of Privacy Act.

3.2. In exceptional circumstances listed above when parents are not contacted - In these situations, the Principal shall summarize the meeting in writing and retain a copy at the school in a file for that purpose, with notes subject to the terms of the Freedom of Information and Protection of Privacy Act.

Reference: Sections 6, 7, 20, 22, 26, 65, 85 School Act
Freedom of Information and Protection of Privacy Act
Youth Justice Act
Youth Criminal Justice Act (Canada)

Adopted: December 16, 1997
Revised: June 25, 2019