

The Principal or a member of the school staff may need to question a student regarding a breach of school rules. As well, police officers and social workers may request to interview a student, or students, at school during the school day. In such cases, school officials have a responsibility to function in the place of the parent during school hours and to cooperate with the police or other appropriate civilian authorities in the execution of their duties.

Procedures

1. The Principal is responsible for protecting the individual rights of the student. Interviews and searches will be conducted in a manner that ensures the rights of the student are protected. The Principal shall inform the student of the right to have parents and/or counsel present during questioning. In cases of suspected child abuse, child welfare workers do not require parental consent.
2. No person except the custodial parent, law enforcement agencies, or Child Welfare Workers may interview students in school.
3. In the case of law enforcement officials wishing to interview a student at school, the following shall apply:
 - 3.1 The Principal shall require the police officers to report to the Office of the Principal, to provide appropriate identification and to make known the purpose of the interview.
 - 3.2 The Principal shall question the investigating police officer(s) as to the urgency of the matter and if not deemed an emergency, the police officials should be advised that they are to deal with the matter at the student's residence in the presence of the parents, or in another location not associated with the school, and outside school hours.
 - 3.3 Should the Principal agree to permit the interview to proceed, the parents of the student must be immediately contacted, except in cases where the investigation allegedly has to do with child abuse by the parent. The parents of the student may be asked to meet with the Child Welfare Worker(s) at the parents' home, the office of the Child Welfare Worker(s) or at the police station, depending upon the charge. Child Welfare Workers do not meet with the parent(s) at the school.
 - 3.4 If the interview is to proceed, the Principal shall bring the Student to a private location where the interview may be held. If the parent cannot attend and the student is under the age of twelve, the Principal or another staff member must sit in on the interview, the exception being child protection cases.
 - 3.5 The police officer(s) are required to advise a student who is between the ages of 12 and 17 inclusive that:
 - 3.5.1 The student is under no obligation to give a statement;
 - 3.5.2 Any statement that may be given may be used as evidence in any legal proceeding;

- 3.5.3 The student has a right to consult with counsel or a parent, or in the absence of the parent, an adult relative, or any appropriate adult that may be chosen; and
 - 3.5.4 Any statement made by the student must be made in the presence of the person consulted unless the student waives the right in writing.
 - 3.6 The student may request that the Principal or another staff member be present during the interview. That staff member should comply with the request unless there is some reason not to do so in which case the student may select another adult.
 - 3.7 The Principal may request permission to observe the interview and the police officer shall advise the student of the request. Should the student not consent, then the principal shall not attend the interview.
 - 3.8 If a police officer wishes to remove a student from school, the Principal shall require that the police officer contact the student's parent and advise them of the action being taken. If the parent cannot be contacted, then the Principal shall immediately notify the Divisional Office.
4. In the case of a requested interview by Child Welfare Workers, the following shall apply:
- 4.1 Child Welfare Workers may contact the school prior to attending the school to inquire if the child is present. This information is not to be shared with the child, the family, or relatives prior to the interview.
 - 4.2 If a Child Welfare Worker comes to the school to interview a student, the Principal shall ask about the nature of the interview on a "need to know basis" and require the worker to provide appropriate identification, and
 - 4.3 The Principal and/or designate shall facilitate access to the student.
 - 4.4 The Principal shall permit interviews in the school in cases of suspected child abuse, or neglect, or investigations involving suspected physical or sexual abuse. Parental contact shall not be required prior to the interview and no witness need be present.
 - 4.5 During an investigation, Child Welfare Workers may convey the student to any place in order to complete the investigation.
- 5 In the case of searches of student property by school staff, the following shall apply:
- 5.2 Students and their parents shall be informed at the beginning of each school year, or semester that student property is subject to periodic searches of a general administrative nature for contraband and violations of rules.
 - 5.3 School officials shall attempt at all times to protect the student's right to privacy.
 - 5.4 The student's consent to the search of property shall be sought, whenever possible.
 - 5.5 The student shall be present during the search, whenever possible.
 - 5.6 The Principal shall record the grounds for conducting a search and keep the record on file.

- 5.7 In addition to the individual conducting the search, at least one other adult witness shall be present when the search takes place.
- 5.8 Wherever possible, the parents of the student, or the student who is 16 or older shall be informed of the search, and the reasons for it, prior to it being undertaken.
- 5.9 If the proposed search revolves around the suspicion of criminal activity, the police shall be requested to obtain the necessary authorization and conduct the search.

Reviewed/Revised: March 2014