

## **INTERVIEW OF STUDENTS BY OUTSIDE AGENCIES (i.e. Police)**

### **Background**

The district recognizes the importance of cooperating with other agencies who have responsibilities which relate to students. These responsibilities may require agencies such as the police, public health or social service agencies to interview students in schools. Police officers, social workers and public health nurses in the course of their duties, may find it necessary to visit a school and interview certain students. While cooperation with other agency personnel in such interview requests is expected, schools have an obligation to ensure that both students' and parents' rights are respected.

### **Procedures**

Requests by the police, social workers or public health nurses to interview students on school premises are subject to the following:

1. Students are not to be interviewed on school premises except in the following circumstances:
  - 1.1 In cases where child abuse is suspected, the police and/or social worker may interview the student under the legislative mandate for the protection of children;
  - 1.2 In an emergent situation where there is no question of compromising the student's legal rights and where immediate information is necessary for quick action.
2. If a student is interviewed, it is to be considered essential that either a parent or guardian be present at the interview, except as noted above.
3. Where a police officer insists on interviewing a student immediately and on school premises, the principal or designate is to:
  - 3.1 Ensure that the student is informed of their rights and that the student understands that they have the right to remain silent;
  - 3.2 Request the police officer to delay the interview until such time as the parent/guardian can be present;
  - 3.2 If this request is refused, then the principal or designate is to ensure that the student's parents are contacted immediately;
  - 3.3 Request the superintendent of schools or the secretary-treasurer to consult the school district's legal counsel immediately for advice.
  - 3.4 If parents are unavailable, the principal or vice-principal is to sit in on the interview. A principal or vice-principal who attends a police interview of a student should not say anything other than to advise the student of their right to remain silent.

Reference: Sections 6, 7, 20, 22, 26, 65, 85 School Act  
Youth Justice Act  
Youth Criminal Justice Act (Canada)  
Family and Child Service Act  
Public Health Act