

**INTERVIEW OF STUDENTS AS POSSIBLE OFFENDERS BY A POLICE OFFICER**

**Background**

It is the responsibility of the Principal to safeguard the rights and be concerned with the well-being of all students. Interviews of school students by police officers will be permitted where circumstances make such interviews essential.

**Guidelines**

1. A police officer with a proper warrant of arrest or search warrant can enter upon school premises and carry out his/her duties pursuant to the warrant.
2. A police officer can enter school premises if in pursuit of someone who is alleged to have committed a crime and is or may be on school premises.
3. It is expected that police will not request student interviews on school premises if alternative arrangements may adequately protect the interests of the student.

**Procedures**

1. When a police officer finds it necessary to interview a student during school hours, the police officer shall be directed to report to the office of the Principal or designate, and to make known the purpose of the visit.
2. Prior to the interview with the student, the Principal shall attempt to contact the student's parents or guardians to inform them that a request has been made to interview their child.
3. The Principal must be aware that the police officer is responsible to inform the student (12 years of age or over) that:
  - 3.1 The student is under no obligation to give a statement.
  - 3.2 Any statement given by the student may be used as evidence in proceedings against him/her.
  - 3.3 The student has the right to consult with:
    - 3.3.1 Counsel or a parent; or,
    - 3.3.2 In the absence of a parent an adult relative; or,
    - 3.3.3 In the absence of a parent and adult relative any other appropriate adult (over 18) of his choice.
  - 3.4 In extraordinary rare circumstances, when a parent is unavailable or unwilling to meet with the police officer, the student may request a staff member to sit in on the interview. The staff member can do so provided the student has waived, in writing, right to have the parent and counsel present.
  - 3.5 Any statement made by the student must be made in the presence of the person consulted.

4. In the absence of the parent/guardian or designate, the Principal or designate must sit in on interviews where the student is under 12 years of age. The Principal or designate does not have the automatic right to be present at interviews involving students 12 years of age or over. The Principal or designate must not assume or state that he/she is the student's representative/advocate in the interview; selection of person/counsel is the student's right.
5. If the student requests the Principal or other staff member to be present during the interview, it is desirable that the individual comply in loco parentis. The staff member is not obligated, and if he/she refuses this request, the student is encouraged to select some other adult to be present.
6. Before removing a student from the school, the Principal or designate will inform the police officer that he should communicate with the parent and inform them of the course of action taken.
7. The Principal shall keep a written record indicating the date, time, parental contact attempt and individuals involved in the interview.
8. Any breach of this procedure must be reported immediately to the Superintendent.

Reference: Section 20, 45, 60, 61, School Act