

MEDICINE HAT SCHOOL DISTRICT NO. 76**STUDENT INTERVIEWS BY POLICE AND CHILD PROTECTION SERVICES****BACKGROUND**

In providing services to students and the school community, it sometimes becomes necessary for Police or Child Protection Services to interview students during school hours.

POLICY

The Board expects staff to co-operate with the Police and Child Protection Services in carrying out their duties by permitting interviews of students on school premises where necessary or required. Interviews on school premises will be conducted in the presence of a parent/guardian and/or an adult who advocates for the student in accordance with the terms of this policy.

GUIDELINES

1. The Board expects that interviews by external agencies will be conducted in a manner that respects the student's rights and dignity.
2. When an interview is being conducted on school property, the interview should be conducted in a confidential and private manner, and may be in the presence of a parent/guardian and/or an adult who accompanies the student.
3. When the interview involves the investigation of a crime, the parents/guardians shall be immediately advised of their child's involvement with the Police or Child Protection Services, except in situations of suspected child abuse.
4. The procedures set out in this policy are based on collaborative principles developed between Alberta Education and provincial police and child protection agencies. The school principal should report to, or seek direction from, a Central Office designate if they are not being followed by any party.
5. If there are serious concerns about how an interaction between a student and police and/or child protection services representatives is being carried out, school administrators may express verbally any concerns or disapproval and seek appropriate advice from the School District. School administrators should not interfere with a criminal investigation by police or with the execution of a court order or apprehension order by Child Protective Services.

6. The school principal should inquire of the police officer or caseworker as to what processes they intend to follow in notifying parents/guardians about the interview. If there is any doubt or concern about responsibility for notifying parents, the school principal or designate should contact a Central Office delegate for direction.

Approved & Adopted:
September 7, 2004

Revised:
December 17, 2013
December 16, 2014

MEDICINE HAT SCHOOL DISTRICT NO. 76

ADMINISTRATIVE PROCEDURES

TITLE: Student Interviews by Police and Child Protection Services	POLICY REFERENCE: 667 Student Interviews by Police and Child Protection Services
PROCEDURE CODE: 667 P 001	

PROCEDURES

No person except police officers, Southern Alberta Child and Family Services case workers and investigators or the parent/guardian of the student shall be permitted to interview a student on school premises.

1. Interview of students in schools by police officers
 - a. When contacted by police to arrange an interview with a minor student on school premises, the principal or designate should immediately take steps to notify the parent or guardian and to arrange for their attendance. All contact attempts should be documented.
 - b. The police officer is responsible to inform the student that:
 - The student(s) are under no obligation to give a statement.
 - Any statement given by a student may be used in proceedings against them.
 - The student(s) have the right to consult with Counsel, and a parent, or in the absence of a parent, then an adult relative; or in the absence of a parent and adult relative, any appropriate adult (over 18 years of age) of their choice.
 - i) If the student is suspected of having engaged in any activity prohibited by law, and a parent or guardian is not present to attend the interview with police, the principal or designate should request to be present while the above warning is provided to the student and witness of his/her choice.
 - c. In the absence of the parent/guardian, the principal or designate must sit in on interviews where the child is under 12 years of age. In any case, where the police are investigating an incident for which the student may also be subject to school discipline, the principal or designate should ensure that the member of personnel who attends the interview with the student is not the person who will be investigating and imposing discipline on behalf of the school.
 - d. The principal or designate does not have the automatic right to be present at interviews involving students over 12 years. The principal or designate

cannot assume or state that he or she is the student's representative/advocate in the interview; selection of person/counsel is the student's right.

- e. If the student requests the principal or another staff member to be present during the interview, it is advised that the individual comply "in loco parentis". However, the staff member is not obligated. Therefore, if the request is refused, the student may select some other adult to be present.
 - f. The principal or designate can request to 'sit in' on the interview, as a silent observer. The police officer would then be responsible to inform the student of the request. If the student did not consent, the principal or designate may then:
 - i. Determine to let the interview go ahead without the principal or designate in attendance, or
 - ii. Request that the interview be removed from the school premises.
 - g. A principal or designate should consider making a request to "sit-in" as a silent observer in any cases where a student over the age of 12 has elected to attend the interview without an adult present and the principal or designate is of the view that it is in the best interests of the student. In such cases, the principal or designate should confirm that he or she is not attending in the capacity of a consulting adult or advisor to the student and is not representing the student.
 - h. If a student is removed from the school by a police officer, it is the responsibility of the police officer to communicate with the parent/guardian. The school principal or designate should make reasonable efforts to communicate with police about parental notification, and contact the Central Office designate if he/she requires guidance on whether to notify parents independently.
2. Interviews by a South Region Child and Family Services, Human Services, Caseworker:
- a. It is generally expected that caseworkers will contact the school in advance to arrange for the interview, although that may not be possible in every case.
 - b. Clarification from the Child & Family Services Caseworker should be sought as to the urgency or need of the matter and if it is not urgent or a need is not shown, then arrangements should be made to conduct the interview outside of school premises.
 - c. If the Child & Family Services Caseworker provides information to indicate that the matter is urgent and that there needs to have the interview

take place during school hours on school premises, the principal or designate should arrange for the attendance of the student.

- d. In the event of an investigation of suspected parental child abuse, the best interests of the child must be paramount. The principal shall ascertain with the investigating team if it is in the best interests of the child to contact the parents/guardians and if not, no contact shall be made. The principal or designate should communicate with the caseworker about notification to the parents, and if there is disagreement about the process to be followed, the principal or designate should contact a Central Office designate for guidance.
- e. The principal or designate should consult with the case worker as to whether it is desirable and in the best interests of the child to have school personnel present for the interview. The child's wishes should also be taken into account. If a child wishes to have a parent or member of personnel present during the interview, then school personnel should (in consultation with the caseworker) comply by attending or arranging for a parent to attend.
- f. A written record shall be kept indicating the identity of the Child & Family Services Case Worker, date and the reason the interview occurred.

Approved:
May 17, 2005

Revised:
December 17, 2013
December 16, 2014

References:

A Guide to Effective Collaboration Between School Administrators and Police
Working in Alberta's Schools - Alberta Education
Responding to Child Abuse: A Handbook – Government of Alberta – Oct. 2005
Youth Criminal Justice Act