

POLICE QUESTIONING OF STUDENTS IN SCHOOLS

Background

There may be times when the lawful presence of police in schools is required in the pursuit of justice.

The District supports police presence in schools both in a school liaison role and under emergent circumstances as set out below.

Procedures

1. Principals are to be aware of the provisions and requirements of the Youth Criminal Justice Act and be prepared to use discretion and good judgement in carrying out this Administrative Procedure.
2. Under usual circumstances, interviews of students suspected of illegal activity are not to be held in the school. Prior to interviewing students in the school, the Principal will meet with the police officer to determine whether it is imperative to conduct the interview on school premises. If it is an emergent situation, disruption to the school and students is to be kept to a minimum.
3. A parent is to be present if the school must be used. If a parent cannot be contacted in emergent situations, the Principal may act instead. Their concern is to be the protection of a student's rights. Notes are to be taken.
4. The Principal shall inform the parent and the Superintendent as soon as possible of any actions taken under section 3, or in any case where a student is apprehended or is accused of an alleged offense.
5. A police officer may arrest a student if the officer is in possession of a warrant for such arrest or has other legal authority to make such an arrest.
6. The Principal shall inform the parent of an arrest of a student as soon as practical following the arrest.
7. When in possession of a search warrant, a police officer may conduct a search of the school and/or its storage areas or devices.
8. In facilitating police access to student witnesses, victims and suspects in a school-related investigation, the Principal is exercising their authority for school purposes.

9. The RCMP school liaison officer is authorized to discuss police matters with students at the school except when the student(s) is suspected of illegal activity pursuant to section 2.

Reference: Sections 6, 7, 20, 22, 26, 65, 85 School Act
Youth Justice Act
Youth Criminal Justice Act (Canada)

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Revised: