

Administrative Procedure 353

INTERVIEWS AND INTERROGATIONS

Background

Occasionally, it may be necessary for school staff, police or other non-school personnel to conduct investigative interviews with students at school.

Interviews or interrogations will be conducted only when deemed absolutely necessary by the principal and only after consideration has been given to the well being of all the students and staff in the school. The Division directs that all interviews of students on school premises be conducted in strict compliance with the attached procedures, recognizing that the best interests of the student are paramount.

Procedures

1. Interviews of students by social workers on school premises during school hours may be permitted only in those circumstances when the interview cannot be conveniently scheduled at another time and place.
2. During school hours, the school authorities stand IN LOCO PARENTIS, taking the place and responsibility of parents, and must act in a manner becoming the trust that has been reposed in them.
3. Principals are expected to give full cooperation to governmental or community agencies carrying out an investigation of the well being of a student.
4. All non-school personnel are expected to report to the principal upon arrival at the school and prior to contact with any students or staff.
5. The principal must request to see identification that establishes the authority of a person requesting to interview a student.
6. The principal shall ensure that parental contact has been made prior to an interview taking place at the school unless, in the opinion of the principal, there is good reason for the parents not to be contacted. If this consent is obtained by telephone, a member of the school staff must be present as a witness. All parties are to be clearly identified, and parental consent is to be clearly stated.
7. The principal shall invite parents or guardians of students to attend any scheduled interview taking place at the school unless, in the opinion of the principal, there is good reason for the parents or guardians not to be present.
8. Students shall not be removed from school by non-school personnel without parental permission (preferably in writing), unless there is an apprehension or an arrest. It is not necessarily the responsibility of the principal to contact the parents or guardians of any student before any student is removed from the school by a police officer or a



community agency worker. The police officer or community agency worker must attempt to communicate by telephone with the parents and inform them of the course of action he/she intends to take. If the parents or guardian are unable to be contacted before the student is removed from the school, it is incumbent upon the police officer or the community agency worker to notify the student's parents or guardians as soon as it is reasonably possible.

9. The principal shall ensure that the police officer or agency worker advises the student(s) of the right to refuse interrogation.
10. Under normal circumstances, the principal or designate will be present at all interviews, except in the case of regular monitoring, unless they are specifically excluded by the investigating child welfare worker or police officer.
11. Every effort must be made to protect students under questioning from school or community scrutiny.
12. If there are breaches of the procedures set out above, the principal must report these immediately to the Superintendent.
13. The principal shall retain in the student record a written record of the identity of a person interviewing a student, the date of the interview, the reason for the interview, and parental approval.

Reference: Section 20, 45, 60, 61, 113, School Act
Child Welfare Act
Freedom of Information and Protection of Privacy Act
Police Act

