

602.9AP – Questioning of Students by Police

Purpose

In maintaining a safe school environment within the larger community, it is important to have a cooperative and respectful relationship between school personnel and the police. The Board supports police presence in schools, both in a school liaison role and under emergent circumstances, as set out in this administrative procedure.

The Board considers that it has a responsibility to protect the interests and rights of students in its care in a manner consistent with the law. This includes acting *in loco parentis* in the absence of parents and/or guardians and the prompt informing of parents and/or guardians when students' rights or interests are a matter of concern.

Procedure

1. School and district administration should be aware of the current provisions and requirements of the *Youth Criminal Justice Act* and other pertinent legislation. Issues of particular importance to school and district administration in current legislation are:
 - (a) the 'ban on publication' provisions which seek to protect the identity of young offenders or those accused or suspected of committing an offence and,
 - (b) the potential admissibility of all statements made by students to school authorities.
2. The RCMP School Liaison Officer is authorized to discuss police matters directly with students at the school and, where appropriate or required by law, make contact with the parent or guardian of a student being questioned. This does not preclude the questioning of students by other RCMP officers who have the legal right to do so. Where practicable, the resident RCMP School Liaison Officer should be involved when students are to be questioned by police.
3. Should the parent or guardian not be available, the principal or designate may, with the agreement of the student, act in loco parentis with his/her primary concern being the protection of the rights of the student.
4. No school district employee shall act or be required to act as a representative of the police. Routine cooperation with the police, where such cooperation is a legal or reasonable expectation of school and district personnel such as providing student contact information or arranging meeting space, does not constitute acting as a representative of the police.

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Legal References:

Monitoring Method: *Board of Education / Superintendent*

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