

<i>Rainy River District School Board</i>	<b>SECTION 4</b> <i>Pupils</i>
<b>POLICE INTERVIEWING STUDENTS</b>	<b>4.20</b>

## **POLICY**

The Rainy River District School Board will co-operate with law enforcement officers in the investigation of criminal offences while giving due regard to the protection of the rights of the students and the responsibility that they carry when acting in loco parentis.

## **RATIONALE**

The Board wishes to assist in ensuring the greater safety and protection of students, teachers, staff and volunteers in schools through the encouragement of ongoing, adaptive and responsive partnerships between police and the school community by facilitating an appropriate, consistent means of sharing and disclosing of information, while ensuring that the obligations and requirements of both the education and law enforcement systems are maintained.

## **IMPLEMENTATION**

Refer to the School Board Police Protocol.

### **GUIDELINES:**

#### **Students Suspected of Committing an Offence**

- 1.1 Whenever possible, interviews by the police will be conducted outside the school setting. The police have no automatic right to interview students in school without laying a charge.
- 1.2 The principal may permit the police to interview a student where:
  - 1.2.1 the officer has produced satisfactory identification and
  - 1.2.2 if the student is under 18 years of age, the student indicates he/she is willing to be interviewed by the police, and the parent/guardian has been contacted and will be present during the interview or has requested to have the principal/principal's designate present on the parent's/guardian's behalf
  - 1.2.3 the student who is 18 years or older and chooses not to have anyone present

- 1.3 Where an illegal act may have occurred at school, the principal will contact the parent to inform them that the matter has been referred to the police. The police should continue to follow sections 1.1 and 1.2.
- 1.4 Where a student is charged with an offence, the student may be removed from the school by the police.

Students Questioned as Witnesses/Victims

- 2.1 Whenever possible, interviews by the police will be conducted outside of the school setting. The police have no automatic right to interview students in school without laying a charge.
- 2.2 The principal may permit the police to interview a student where:
  - 2.2.1 the officer has produced satisfactory identification
  - 2.2.2 if the student is under 18 years of age, the student has indicated that he/she is willing to be interviewed by the police
  - 2.2.3 an effort has been made to contact the student's parent/guardian and
  - 2.2.4 where the parent is not present, the student agrees to have the principal or designate present during the interview
  - 2.2.5 the student is 18 years or older and chooses not to have anyone present
- 2.3 Where the parent/guardian or student has denied permission for the interview to proceed, the police shall be notified and the matter resolved outside of the school setting.
- 2.4 Where, during the interview it appears that the student is becoming a suspect, part 1 of the policy guidelines shall be implemented immediately.

<p><u>CROSS REFERENCE</u></p> <p>School Board Police Protocol</p>	<p><u>Date Approved</u> February 7, 2006</p> <p><u>Board Motion</u> #254</p> <p><u>Date of Last Review</u> April 4, 2000</p> <p><u>Review Prior to</u> 2010</p>	<p><u>LEGAL/MINISTRY OF EDUCATION REFERENCE</u></p> <p>Municipal Freedom of Information and Protection of Privacy Act</p> <p>Education Act</p> <p>Criminal Code Police Services Act, s.42</p> <p>Youth Criminal Justice Act</p>
---	---	---