



HOLY FAMILY ROMAN CATHOLIC SEPARATE SCHOOL DIVISION NO. 140

OPERATIONS AND PROCEDURES

CATEGORY: SCHOOL OPERATIONS
 TITLE: STUDENT PROTECTION
 CODE: 5137 Interviews and Searches By Staff From Other Government Agencies

Reference Matrix	
Education Act (1995)	Sections 85, 87, 108, 109, 175
Other Relevant Acts	<i>Child and Family Services Act; Youth Criminal Justice Act; Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)</i>
Holy Family Related Procedures	
Holy Family Related Manuals	
Resources (Ministry, SSBA, SCSBA, etc.)	
Date Reviewed	November 27, 2015

Background:

The Board is committed to working in harmony with other government agencies to protect children.

Procedures:

1. It is the responsibility of the Principal to safeguard the rights and well-being of every student in the school.
2. The Principal MAY decide an interview(s) of student(s) by police or child welfare workers be permitted on school premises when the Principal has considered the specific facts and circumstances and determines that the best interests of the student will be served by allowing the agency to meet with the student on school premises.
 - 2.1. If it is determined that the interview may take place on school premises, it should be held at a time least disruptive to the educational process (preferably outside of school hours) and with as much privacy for the student as possible

2.2. Considerations regarding meeting on school premises:

- 2.2.1. What is the best time for the meeting
 - 2.2.2. What is the best place for the meeting
 - 2.2.3. Are there any educational supports the school should consider for classwork that may be missed
3. The school will not accommodate police officers or child welfare workers who request interviews with students at the school if arrangements can be made by them for the interview to take place at an alternate location outside of school hours.
 4. A police officer or child welfare worker may not interview a student at school unless:
 - 4.1. A police officer is affecting a proper arrest or in possession of a search warrant may enter upon school property and carry out his/her duties pursuant to the warrant.
 - 4.2. A child welfare worker investigating a complaint of neglect or abuse of a student may enter upon school property and carry out his/her duties pursuant to the investigation where there is immediate risk.
 - 4.3. The parent(s)/guardian(s) consents to the interview.
 - 4.3.1. In child abuse situations, the Principal shall not inform suspected parent(s)/guardian(s). In reported cases of suspected child abuse or neglect the Principal shall permit a Child Welfare worker to conduct interviews with children on school premises without parent(s)/guardian(s) notification.
 - 4.4. The interview with students is allowed to take place at the discretion of the Principal. In the event that the Principal deems the interview necessary, he/she may allow the interview to proceed in accordance with the *Youth Criminal Justice Act* or the *Child and Family Services Act*.
 5. A police officer or child welfare worker entering school property for any reason shall apprise the Principal of the reason for and nature of the visit.
 6. Prior to an interview with a student, the Principal shall attempt to contact the student's parent(s)/guardian(s) to inform them that an interview is to take place, provided that doing so does not pose additional risk to the child.
 7. If the interview is to proceed under the auspices of the *Youth Criminal Justice Act*, the student is entitled to have an adult present during the interview by police.
 - 7.1. The right belongs to the student who determines and selects the adult to be

present, and who, in fact, may wish to waive the right to have an adult present.

7.2. For students under the age of 16, the Principal shall make every effort to attend the interview if the parent(s)/guardian(s) is not able to attend the interview.

8. The Principal shall keep a written log of all interviews of students by police officers and child welfare workers that take place at school.

9. On occasion duty may direct the police to arrest and remove a student from the school without giving notice to the parent(s)/guardian(s).

9.1. The Principal will advise the parent(s)/guardian(s) of the police action as soon as is reasonable.

9.2. The Principal will advise the Director of Education as soon as is reasonable.

10. While it can't be enforced, the Principal is to always request a letter from any agency which has jurisdiction to remove a child from the school. The letter should indicate the name of the agency and the name of the person who is assuming responsibility for the child. The Principal's verbal, and where possible, written request, should always contain an explanation which articulates the need to be informed as a participating partner that is interested in acting in the best interests of the child.