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## ADMINISTRATIVE PROCEDURE 307 POLICE REQUESTS FOR STUDENT INTERVIEWS

The District seeks to cooperate with police, while not compromising the legal rights of the students in its care. In most circumstances, students on School District premises or at school sponsored events cannot be formally interviewed by police officers as part of a formal investigation process.

The District recognizes there may be emergent situations that might require different approaches when police would like to interview a student. It is for this reason that all police contact with students on School District premises or at school sponsored events shall occur with the knowledge and consent of the administrator and with prior notice (except in a crisis situation).

### Procedure

Requests by police to interview students on district premises or at a school sponsored event are subject to the following:

1. Students are not to be interviewed, except in the following circumstances:

1.1. In cases where child abuse is suspected, the police and/or social worker may interview the student under the legislative regulation for the protection of children:

“Police officers and child welfare workers have complementary roles in responding to reports of suspected child abuse or neglect. Police have authority under the Criminal Code of Canada and the Child, Family and Community Service Act to respond:

- when a child or youth is in immediate danger; and
- when a criminal offence against a child or youth is suspected.

When an officer has reasonable grounds to believe that a child’s or youth’s safety or well-being is in immediate danger, the officer has authority to take charge of the child or youth and notify a child welfare worker as soon as possible.

Where a criminal offence against a child or youth is suspected, police may investigate, working in collaboration with child welfare workers.

(See BC Handbook for Action on Child Abuse and Neglect, page 12)

1.2. In an emergent situation where there is no question of compromising the student’s legal rights and where immediate information is necessary for quick action:

1.2.1. When police officials request an interview with a student on school or District premises in accordance with Section 1.2, a Principal or designate must ensure that the student’s parent(s)/guardian(s)/childcare authorities are contacted immediately.

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Related Legislation: School Act, Sections 6, 7, 20, 22, 26, 65, 85; Child, Family and Community Service Act; BC Handbook for Action on Child Abuse and Neglect; Freedom of Information and Protection of Privacy Act; Youth Justice Act; Youth Criminal Justice Act (Canada)

Related Contract Article: Nil

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- 1.2.2. If parent(s)/guardian(s)/childcare authorities cannot be reached or are unable to attend the interview, the Principal shall request the police officer to delay the interview until such time as the parent(s)/guardian(s)/childcare authorities can be contacted or be present.
- 1.2.3. If this request is refused, then the Principal or designate shall act “in loco parentis”. The Principal or designate must sit in on the interview and shall summarize the meeting in writing and provide the written report to the parent(s)/guardian(s)/childcare authorities, a copy to the Superintendent and retain a copy at the school in a file for that purpose, with notes subject to the terms of the *Freedom of Information and Protection of Privacy Act*.
2. A student is not to be released to the custody of other legal authorities in the absence of clear legal authority to do so.
  - 2.1. Any such release shall be in accordance with the District’s duty of care for students and any formal regulations governing such release, including notification of parents/guardians/childcare authorities.
  - 2.2. In the case of students of Indigenous ancestry, processes delineated in Local Education Agreements shall be followed.

In situations where police wish to have contact with a student at school:

1. The Principal shall request that the police complete interviews, conduct searches and effect arrests at another location away from school, if possible.
2. The school shall make every attempt to notify the parent(s)/guardian(s)/childcare authorities and confirm whether they wish to attend. The administrator shall document the attempt to make contact.
3. The Principal shall determine from the police officer what the nature of the contact will be, and support the student as required.

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Related Legislation: School Act, Sections 6, 7, 20, 22, 26, 65, 85; Child, Family and Community Service Act; BC Handbook for Action on Child Abuse and Neglect; Freedom of Information and Protection of Privacy Act; Youth Justice Act; Youth Criminal Justice Act (Canada)

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