



STUDENT SERVICES 6 – Agencies Interviewing Students at School

Date: June 30, 2004

Revised: March 13, 2013

Responsible Administrator: Superintendent

1.0 RATIONALE

The school has a responsibility to protect the confidentiality, safety and well-being of students where access by outside agencies for investigative purposes is requested.

2.0 PROCESS

The Superintendent or designate is delegated the responsibility of maintaining this Administrative Practice.

3.0 GUIDELINES

School level investigations shall be deferred to the police once an offense is believed to fall within the Criminal Code.

The principal shall:

- interview the person with the complainant and the witnesses;
- contact the police if there is sufficient legal implication;
- complete the school level investigation for disciplinary purposes, following the police interview, governed by Section 3.1;
- use only school level investigative information and public information about charges, if charges are laid, for disciplinary purposes;
- not use police report information for disciplinary purposes.

3.1 Interviewing of Students by Officers of the Law

3.1.1 The principal or designate shall ensure that the following guidelines concerning interviewing of students by officers of the law are observed:

3.1.1.1 The officer shall be questioned as to the urgency of the matter.

3.1.2 The principal or designate must allow the officer to proceed under the following circumstances:

3.1.2.1 if the officer possesses a warrant (either for arrest or search);

3.1.2.2 if the officer is “in hot pursuit” after the commission of an offence;

References: *Board Policy: D/II/11 – Agencies Interviewing Students at School*
G/II/5 – Child Abuse and Neglect Prevention
Alberta Child and Family Services Disclosure Form



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- 3.1.2.3 if the officer possesses blanket powers of search, etc., as defined by legislation (an example is drug offences);
 - 3.1.2.4 if the Child Welfare Act is invoked (Refer to Section 3.2).
 - 3.1.2.4.1 The principal or designate shall attempt to contact the parent or legal guardian of the student in order to apprise them of the situation prior to an interview.
 - 3.1.2.4.2 In the event that the parent or legal guardian could not be contacted per Section 3.1.2.4.1, the parent or legal guardian shall be notified of the interview by telephone, failing that by registered letter.
 - 3.1.2.4.3 In the absence of the parent or legal guardian, the student shall be informed that he/she has the right to have the principal or designate remain with the student at all times during which the officer is present.
 - 3.1.2.4.4 The principal or designate will ensure that the student is advised of his/her rights as set out in Section 3.1.3.
 - 3.1.3 The student has the right:
 - 3.1.3.1 to be informed of the reason for the interview;
 - 3.1.3.2 to contact a lawyer;
 - 3.1.3.3 to not answer any question, except as to identify identity, and to the identity of his/her parents;
 - 3.1.3.4 to be advised that statements he/she makes can be used against him/her in subsequent proceedings;
 - 3.1.3.5 to know whether or not he/she is under arrest, and if so, the reason therefore;
 - 3.1.3.6 to refuse to continue to answer questions until he/she has had an opportunity to obtain advice either from his parents, legal guardian or a lawyer.
 - 3.1.4 An officer requested student interview that fails to answer the criteria as set out in Section 3.1.2, requires parent or guardian permission or the officer

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shall be informed that the interview must take place outside of school hours and premises, and that he should attend at the residence of the student.

3.1.5 Documentation Must be Maintained

3.1.5.1 A written record shall be kept indicating the identity of the officer and the reason for the interview.

3.1.5.2 Electronic student records must be protected through the use of access controls, including security levels, passwords, and other controls and procedures established by the Director, Student Services and school principals or their designate.

3.2 Interviewing of Students by Child Welfare Workers *(In the case of suspected child abuse and/or neglect, refer to Policy G/II/12)*

3.2.1 School authorities have a responsibility to cooperate with personnel from the Department of Children's Services and Community Health and the principal or designate also have a responsibility to the students to stand in loco parentis. Both of these areas of responsibility must be considered in instances when personnel from Children's Services request permission of school authorities to interview a student on school premises during school hours.

3.2.2 The principal or designate shall ensure that the following guidelines concerning the interviewing of students are observed:

3.2.2.1 The Child Welfare Worker must acknowledge that the matter falls within their legislated right.

3.2.2.2 The Child Welfare Worker must complete and sign the FOIPP Child Welfare Disclosure Form.

3.2.3 The school shall attempt to contact the parent or legal guardian of the student in order to apprise them of the situation unless instructed by Children's Services not to do so.

3.2.4 The principal or designate shall inform the student that he/she has the right to request the principal or designate be present during the interview.

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3.2.5 A written record shall be kept indicating the identity of the Child Welfare Worker and the reason for the interview.

3.3 Interviewing of Students by Other Agencies

3.3.1 Requested access to students by other external agencies without legislated access must be accompanied by a “positive” written consent of parent or guardian.

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Alberta Child and Family Services Disclosure

_____ hereby requests, pertaining to

Public Body

Name of Student

- Disclosure of personal information
- Access to the student
- Access to the staff regarding the student

Pursuant to: _____

Statute (Act)

Name and Title

Date

Identification presented

Sturgeon School Division Use

Request Approved Denied

Principal (Designate)

Date