
Purpose/Background

The Principal or a member of the school staff may find it necessary to question a student regarding a breach of the school rules. Under specific circumstances a search of student lockers may be required. Additionally, members of outside agencies, such as police officers, Child and Family Services workers, may wish to interview a student at school during the school day.

Principals and other members of staff are to cooperate with police officers and Child and Family Services personnel when, in carrying out their duties, the officers find it necessary to interview students at school. In such circumstances the Principal shall act as a reasonable parent might in such matters, and ensure that the rights of the students are protected.

Procedures

1. When police officers find it necessary to interview a student during school hours, they will report to the office of the Principal or designate and make known the purpose of the visit.
2. When a Police officer seeks to interview a student during school hours, the Principal shall:
 - 2.1. Attempt to notify the parent or guardian so that they might be present (unless the student is an independent student or the parent/guardian is the subject of the investigation),
 - 2.2. Request that any interview be delayed until such time as the parent or guardian is present,
 - 2.3. Attempt to safeguard the rights of the student until the parent or guardian arrives by ensuring no interview takes place,
 - 2.4. Note the date, time, and place of any such request.
3. Where parents or guardians are not available, the Principal or designate shall request that the Police or other authority leave the premises, and that the interview be conducted at another time and/or place. However, if a Police officer insists upon proceeding, the Principal or designate shall:
 - 3.1. Comply with the request to avoid charges of obstruction,
 - 3.2. Inform the student of his/her right to have an adult present as advisor for the interview,
 - 3.3. Act in loco parentis by sitting in on the interview.
4. Where the police intend to arrest, apprehend, or remove a student from the school, the principal shall:
 - 4.1. Inform the police officer that it is their responsibility to communicate with the parents and inform them of the course of action being taken as soon as it is reasonably possible,
 - 4.2. Once a student is in police custody, a principal must inform parents that the student was removed from the school by police.

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5. Attendance information requests by law enforcement agencies:
 - 5.1. Lists of all students absent at a particular time are not to be released to law enforcement officers,
 - 5.2. Principals will verify the attendance of specific students.

 6. Personal information requests by law enforcement agencies:
 - 6.1. Principals will only provide personal contact information of specifically requested student(s).

 7. When a Child and Family Services official finds it necessary to interview a student during school hours as authorized by the Child, Youth and Family Enhancement Act, the worker will report to the office of the Principal or designate and make known the purpose of the interview. The responsibility to notify the parent/guardian is that of the Social Worker, not the Principal, unless requested to do so by the investigating Social Worker.
 - 7.1. Before granting the interview, the Principal or designate shall validate the identity of the person(s) requesting the interview.
 - 7.2. Upon validation, the Principal, after consultation with the investigating officer, is obliged to cooperate.
 - 7.3. The Principal, following consultation with the student and the Child and Family Services official will determine whether or not it is in the best interest of the child to have a staff member sit in on the interview.
 - 7.4. Child and Family Services authorities have the power to apprehend a child where there is sufficient evidence to suggest the child is in need of protection.
 - 7.5. Child and Family Services are not authorized to take a child from the school unless they have apprehended them or the child is under wardship.
 - 7.6. It is the responsibility of the investigating officer to provide the child's parent(s) or guardian(s) with information concerning a child abuse investigation.
 - 7.7. The Principal shall submit a written report to the Superintendent or designate.

 8. Searches
 - 8.1. Student property may be subject to unannounced searches.
 - 8.2. Students and their parents shall be informed via the school/student handbook that student lockers, bags or bins may be subject to periodic searches of a general administrative nature for contraband and rule violations.
 - 8.3. School administration shall attempt at all times to protect the student's right to privacy.
 - 8.4. Student property (bag, backpack, locker or bin) searches may be conducted if the Principal has reasonable information that the student's property contains contraband or rule violations. The grounds for conducting a search shall be recorded in writing by the Principal and kept on file.

8.4.1. Reasonable grounds may include the student's possession of contraband in the past or eyewitness accounts of possession of contraband.

8.4.2. The student should be present during the search.

8.4.3. In addition to the searcher, at least one (1) other adult witness should be present when the search takes place.

9. Searches Involving Drug Detection Dogs and Their Handlers

9.1. The Board has approved the use of drug-sniffing dogs in schools when deemed to be warranted by the Principal and where the proper due diligence has been done to allow for the search to be lawful.

9.2. The use of drug-sniffing dogs is a school choice following careful consideration by the Principal and school council.

9.3. Trained canines are only to be used if the following conditions are in place:

9.3.1. Discussion with parents at a school council meeting (advertised well in advance), parents surveyed and are overwhelmingly in favour of drug detecting searches.

9.3.2. If in favour, signage in the school building stating that trained canines may be used to search for illegal substances.

9.3.3. Information in multiple school newsletters that trained canines may be used to search for illegal substances.

9.3.4. Discussion in advance of what will be the consequence if illegal substances are found.

9.3.5. Consistent enforcement of the aforementioned consequences.

9.4. Notice needs to be given to the Superintendent prior to contacting the authorities and having the dog(s) come into the school.

9.5. The Lock Down Mode, as defined in Rocky View Schools Administrative Procedure 165 – Emergency Preparedness), will be activated prior to any dog detection team search.

9.6. Any illicit drugs recovered will be turned over to the police, who will determine if a criminal investigation is warranted.

9.7. The Principal will determine the appropriate school discipline procedure to be followed.

9.8. Following any search using the dog detection team, the Principal will submit a written report to the Superintendent or designate.

References:

- Sections 11, 32, 33, 36, 52, 53, 197, and 222 Education Act
- Child, Youth and Family Enhancement Act
- Controlled Drugs and Substances Act
- Youth Criminal Justice Act
- Criminal Code (Canada)