

## 308 STUDENT INTERVIEWS BY OUTSIDE AGENCIES

### Belief

While a student is under the care of MESAC, the school authority stands in Loco Parentis taking the place and responsibility of parents, and must act in a manner consistent with the trust that has been assigned. To help ensure a safe and caring environment for students that fosters and maintains respectful and responsible behaviours MESAC permits outside agencies to interview students.

### Procedures

1. Outside agencies may be allowed to interview students but they must have legislative authority to do so. All other requests for interviews by outside agencies will be granted at the sole discretion of the principal or designate, and only in exceptional circumstances.

#### *Interviews conducted by Police*

2. Interviews by police will be permitted in circumstances where such interviews are essential. Police have the authority to demand entry to a school in exceptional, urgent circumstances. The following are examples of exceptional, urgent circumstances:
  - 2.1. Where a police officer is effecting a proper arrest;
  - 2.2. Where a police officer is in possession of a search warrant;
  - 2.3. Where a police officer is in hot pursuit of a suspect who has alleged to have committed a crime and may be on school premises;
  - 2.4. Where a police officer has an arrest warrant for a student; or
  - 2.5. Where lives are at risk.
3. A record of the police visit will be maintained. The principal will record the name and badge number of the officer attending at the school, the reason for the visit, and a copy of any supporting documentation, such as a search warrant.
4. In all other non-urgent circumstances where police officers request an interview of a student at school, police officers will be encouraged to hold the interview off school premises. Interviews on school premises will only be allowed in the following circumstances:
  - 4.1. The police officer provides sufficient proof that he or she has made prior contact with the parent or legal guardian prior to the interview to inform them of the purpose of the interview; that the parent or legal guardian has agreed to that occurring on school premises; and the parent or legal guardian has confirmed such consent;

- 4.2. The principal has obtained the consent of the parent or legal guardian for the interview to occur on school premises.
- 4.3. An interview will not be permitted without the consent of the parent/legal guardian unless subject to the conditions outlined in 4.1 or 4.2.
5. If the parent has provided consent for the interview, the principal will provide a private room to conduct the interview.
6. The principal will request that the police officer inform the student of their rights.
7. The principal or designate will attend the interview only if requested by the parent/legal guardian due to their inability to attend or at the request of the student.
8. If, as a result of the interview the student is taken into custody, it is the responsibility of the police officer to contact the parents/legal guardians to inform them of the course of action he/she intends to take prior to removing the student from the school.
9. If there are any breaches of Administrative Procedures, the principal or designate will immediately report them to the Superintendent.

***Interviews Conducted by an Intervention Services Case Worker Under the Child, Youth and Family Enhancement Act***

10. While there is no automatic right for a caseworker to utilize school space and educational time to interview a student under the Child, Youth and Family Enhancement Act, co-operation of school personnel is encouraged.
11. It is expected that the caseworker will only request interviews with a student at the school if all other options to conduct the interview outside of school hours have been exhausted.
12. If the caseworker finds it necessary to conduct the interview with a student during school hours, he/she shall immediately report to the Office of the Principal, provide necessary identification and make known the purpose of the visit.
13. Where an interview is requested, it shall be the responsibility of the caseworker to provide notification to the parents/legal guardians. Any questions to school staff from parents/legal guardians with respect to the interview process will be referred to the caseworker.
14. Where possible, the principal will provide a private room for the interview. Where no room is available, other options for an interview site must be explored by the caseworker.
15. Under the Child, Youth and Family Enhancement Act, school personnel do not have the right to attend the interview. The caseworker conducting the interview shall determine who shall be present during the interview.

16. The principal or designate will request that the caseworker inform the student of their rights.
17. The principal or designate shall document the name of the caseworker, the names of those in attendance in the interview, as well as the time and date of the interview in the confidential student record. This information will be provided to the Director of Support Services who will then forward the information to the Superintendent.
18. At the conclusion of the interview, it will be the responsibility of the caseworker to contact the parents/legal guardians and inform them of the action taken by the caseworker.
19. As a general rule, caseworkers are not to use school premises for ongoing case interviews with a child.
20. If there are any breaches of Administrative Procedures, the principal will immediately report them to the Superintendent.

#### ***Interviews Conducted by Other Outside Agencies***

21. Occasionally, requests will be made by outside agencies who do not have legislated authority to conduct interviews with students. Circumstances might include:
  - 21.1. For the purposes of gathering information on school related activities by the media.
  - 21.2. Gathering information for the purposes of data collection for program evaluation.
  - 21.3. Providing opinions on current topics in education.
22. When a request for an interview of a student is made by an outside agency, the request will be referred to either the principal or the Superintendent or Associate Superintendent: Student Services as set out below and will not occur without the requesting agency receiving the prior written consent of the appropriate official:
  - 22.1. Interviews that focus on topics that are related to the day-to-day operations of the school are to be requested through the principal. The request will include the topic of the interview, the general questions being asked, the student(s) being requested for interview and the date(s) of the interview. Permission for these interviews may be granted at the discretion of the principal. Principals will inform those involved. The decision to be involved in the interview process is left up to the individual once permission has been granted by the parents/legal guardians.
  - 22.2. Interviews that focus on topics that are related to the day-to-day operations of MESCC are to be requested through the Superintendent or Associate Superintendent: Student Services. The request will include the topic of the interview, the general questions being asked, the student(s) being requested for interview and the date(s) of the interview. Permission for these interviews may be granted by the Superintendent. The Superintendent will inform the principal when these permissions have been given. The decision to be involved in the interview process is left up to the individual once permission has been granted by the parents/legal guardians.

- 22.3. Interviews that may reveal the identity of the individual involved must adhere to the requirements of the related legislation (e.g., Personal Information Protection Act).
- 22.4. If there are any breaches of Administrative Procedures, the Principal or designate will report them to the Superintendent.

Reference:

Youth and Family Enhancement Act Youth Criminal Justice Act