

Public Schools Branch

INTERIM OPERATIONAL PROCEDURE

This procedure is in effect until June 30, 2020 unless it is revoked or replaced prior to that date.

RELATIONS WITH LAW ENFORCEMENT AND CHILD PROTECTION AUTHORITIES	
<i>Policy Section</i> School and Community	<i>Procedure Number</i> 703.1
<i>Pages</i> 2	<i>Approved Date</i> September 17, 2019
<i>Reviewed Date</i>	<i>Effective Date</i> September 17, 2019
<i>Replaces:</i> PSB Procedure 703.1 Relations With Law Enforcement and Child Protection Authorities, August 21, 2018	

1.0 PROCEDURES

- 1.1 Unless it is necessary to do so, investigations by the police or child protection authorities should be conducted off school property and outside normal school hours.
- 1.2 When a student is to be interviewed, searched, or removed by police or child protection authorities, he or she should not be called by the principal or designate over the public address system. The principal or designate should generally go get the student in person.
- 1.3 When an investigation by police or child protection authorities is conducted on school property, it is the responsibility of the police and child protection authorities to inform all persons of their legal rights before any interview, search, or removal takes place.
- 1.4 When the police or child protection authorities find it necessary to interview or search a student on school property, or remove a student from school property, the legal authority of the police or child protection authorities to do so should be requested by the principal or designate before any interview, search, or removal takes place.
- 1.5 Unless otherwise directed by the police or child protection authorities, the principal or designate will be present during any interview, search, or removal of a student on school property.
- 1.6 The principal or designate must ensure that a record is maintained with respect to all situations governed by this policy. Recorded information should include details of allegations, names of relevant parties and possible witnesses, times of relevant incidents, times and places of investigation, parties searched or interviewed, seized substances or objects, efforts made to contact parents or guardians, and details of police involvement (if any). The principal or designate must retain one copy of this documentation and provide a second copy to the Director of Student Services, if requested.

2.0 CHILD PROTECTION

- 2.1 All employees of the Branch must remain vigilant about child abuse and neglect.
- 2.2 Employees should periodically review their legal obligation under the *Child Protection Act* to report all cases where there are reasonable grounds to suspect that a child is in

need of protection. A child is considered to be any person who is under the age of 16 years or any person under the age of 18 years who appears unable to protect himself or herself due to some developmental, mental, or physical incapacity.

- 2.3 Any investigation related to child abuse or neglect will follow the protocol as outlined in the *Child Sexual Abuse Protocol (2013)*.
- 2.4 A child may be removed from school by a child protection worker in accordance with the *Child Protection Act*. When a child has been so removed, the principal or designate, unless otherwise instructed by the child protection worker, will promptly notify the parent or guardian of the child. Where the principal or designate is not able to make contact with the parent or guardian, a record of all attempts to make contact must be maintained.

3.0 LAW ENFORCEMENT

- 3.1 Where the police find it necessary to search the school or school property, the principal or designate will accompany the police on the search. The police must obtain the necessary legal authority to conduct the search before any search takes place.
- 3.2 The principal or designate will encourage any student who is subject to an investigation by police on school property to have an adult present during any interview or search by police.
- 3.3 In cases where the police wish to interview or search a student who is under the age of 18 years on school property, the principal or designate, unless otherwise directed by police, will promptly contact the parent or guardian of the student to advise that an interview or search has been requested by the police, invite the parent or guardian to be present at the interview or search, and, where the parent or guardian is not able to be physically present, invite the parent or guardian to speak with the student before the interview or search is conducted.
- 3.4 When a student under the age of 18 years is removed from school by the police, the principal or designate, unless otherwise instructed by police, will promptly notify the parent or guardian of the student.
- 3.5 Where the principal or designate is not able to make contact with the parent or guardian of a student, a record of all attempts to make contact must be maintained.

4.0 CROSS REFERENCE

- 4.1 PSB Interim Operational Policy 703 – Relations with Law Enforcement and Child Protection Authorities
- 4.2 PSB Interim Operational Policy 409 – Student Investigations and Searches
- 4.3 PSB Interim Operational Procedure 409.1 – Student Investigations and Searches
- 4.4 *Education Act*
- 4.5 *Child Protection Act*
- 4.6 Provincial Child Sexual Abuse Protocol, 2013

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