

**DIVISION: PROGRAMS**

**Policy #: PROG-307**

**POLICY NAME**

POLICE INVESTIGATIONS

---

**POLICY STATEMENT**

The Newfoundland and Labrador English School District (“NLESD”) welcomes partnerships with law enforcement agencies in the promotion of safe and caring schools, and encourages police visits at school activities and events. In potential criminal matters, the NLESD shall work cooperatively and collaboratively with police agencies while being mindful of its obligation to protect the rights of students under its care.

---

**BACKGROUND**

The NLESD recognizes the duty and responsibilities of school administrators and teachers to maintain safe, caring and orderly schools. The purpose of this policy is to provide guidance for school administrators with respect to the conduct of potential criminal investigations by police on school property.

---

**SCOPE**

This policy applies to all schools and to all students and staff under the jurisdiction of NLESD.

---

**POLICY DIRECTIVES**

1. The school administrator has the authority to request police assistance in the investigation of an incident on school property and s/he may exercise discretion as to the need to involve police.
  2. When a police officer accompanies a social worker from Child, Youth and Family Services (CYFS) to the school, as part of an investigation into a child potentially needing protective intervention, the school administrator and staff shall cooperate with all aspects of the CYFS investigation.
- 

**APPROVED:** \_\_\_\_\_

**AMENDED:** \_\_\_\_\_

3. In all other matters, it is generally expected that law enforcement officials conduct investigations/interviews with students off school property and outside of school hours.
4. Notwithstanding 3), it may be deemed necessary and/or prudent to conduct an investigation and interview a student while in attendance at school. Where a student is the subject (i.e. suspect, victim, witness) of a police investigation at school, the school administrator shall ensure that the rights of the student are protected and that every effort is made to ensure confidentiality.

---

**APPROVED:**

\_\_\_\_\_

**AMENDED:**

\_\_\_\_\_

<b>Policy:</b>	Police Investigations	PROG-307
<b>Division:</b>	Programs	

## ADMINISTRATIVE PROCEDURES/REGULATIONS.

### 1. Promoting Safe and Caring Schools

- 1.1 All school administrators have a duty and responsibility to promote safe, caring and orderly schools. This includes maintaining discipline and preventing and/or addressing illegal/criminal behaviour on school property and during school events. The NLESD will work cooperatively and collaboratively with law enforcement officials to ensure the safety and security of all students and staff.
- 1.2 In the event of a criminal investigation by law enforcement officials on school property, school administrators will endeavour to protect the confidentiality of a student who is the subject of an investigation.

### 2. Joint CYFS and Police Investigations

The Department of Child, Youth and Family Services (CYFS) has the authority to conduct investigations where they have concerns that a child may be in need of protective intervention due to abuse or neglect. In certain cases, a CYFS social worker may visit a school to conduct an interview with a child, as part of such an investigation, and may be accompanied by a police officer. School administrators and staff are expected to cooperate fully with such investigations, to arrange interviews as requested, and to refer to the PROG-305 Child Protection Policy for further information.

### 3. Interview of a Student by Police

- 3.1 In general, law enforcement officials are expected to conduct investigations/ Interviews of students off school grounds and outside of school hours. However, there are certain situations where it may be deemed necessary and prudent to interview a student in attendance at school. It is appropriate for the police to conduct investigative interviews with students on school property in the following circumstances:
  - a) Where the investigation has been initiated through a complaint originating from the school administrator;
  - b) The police officer presents a valid warrant for search, seizure and/or arrest;
  - c) The school administrator and/or police officer have reason to believe that a criminal offence has been or is being committed;

---

**APPROVED:** \_\_\_\_\_

**AMENDED:** \_\_\_\_\_

- 3.2 Where a student under the age of 18 years is the subject of a criminal investigation (i.e. suspect, witness, victim), and it is determined necessary by the police to conduct an investigation/interview at school, the school administrator must make every reasonable effort to contact the parent(s)/guardian(s) prior to the interview taking place.
- a) Parent(s)/guardian(s) must be asked if they wish to be present for the interview. In cases where they wish to be present, the school administrator should ensure that the interview does not occur before they arrive.
  - b) If the parent(s)/guardian(s) are contacted but are unable or unwilling to be present, a school administrator or designate may, with parental consent, accompany the student during the interview.
  - c) If the parent(s)/guardian(s) cannot be reached within a reasonable period of time, a school administrator or designate may accompany the student during the interview, if the student agrees. If the student does not want an adult present, or if the parent(s)/guardian(s) are contacted but refuse to give consent, the school administrator should request that the interview take place off school grounds.
- 3.3 Where a student 18 years of age or older is the subject of a criminal investigation, the school administrator is not required to contact the parent(s)/guardian(s) unless the student consents and the police indicate that contact is permissible.
- 3.4 Should law enforcement officials request to interview a student at school and also request that the school administrator NOT call the parent/guardian (e.g. parent/guardian is also being investigated; advising parent/guardian could jeopardize a criminal investigation), the school administrator should document the direction from police.

#### 4. Police Searches

- 3.1 Students and their lockers, personal property and vehicles may be subject to search by police on school property upon the presentation to school authorities of a proper search warrant. For further detail on student searches by school staff, the school administrator should refer to the PROG-306 Student Search and Seizure Policy.
- 3.2 Police searches should be conducted, where possible, when there is a minimal impact on the general student population.
- 3.3 Random searches without proper search warrants, including random searches by police canine units, are not permitted.

---

**APPROVED:** \_\_\_\_\_

**AMENDED:** \_\_\_\_\_

- 3.4 In the event that a police canine unit is deployed at a school in conjunction with a search warrant to search the school, the area in which the dog is present should be restricted and students kept separated from the search area. Only school authorities associated with the search should be in the area when the dog(s) are present.

---

**APPROVED:** \_\_\_\_\_

**AMENDED:** \_\_\_\_\_