



Searches by School Authorities or Police Action in Schools

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AP Owner:	Superintendent of Learning	Last Reviewed:	APR 24, 2024
Legal Reference(s):	<i>The Education Act – Sections 85, 175, 231</i> <i>Youth Criminal Justice Act 2002 (section 10)</i>		

Background

Living Sky school Division promotes collaboration between the Royal Canadian Mounted Police (RCMP), policing agents and the schools within Living Sky School Division in supporting the well-being of its student and staff to ensure a safe and caring school environment. It is the responsibility of the director of education, through the principal, to safeguard the rights, well-being and confidentiality of every student and staff member of the school.

Scope

This procedure applies to school administration as well as all students throughout the division.

Definitions

Police Refers to policing agents, RCMP or city police.

Roles & Responsibilities

Principals are accountable for ensuring that the school is a safe learning environment.

Superintendents of Learning shall support Principals to ensure that processes are followed in accordance with privacy regulations of children and youth.

Procedures

1. Police Visits or Inquiries

All visits or inquiries to a school by the police shall be approved by the principal.

2. Search on School Premises

- Principals and teachers are authorized to search school property to maintain order, safety, or discipline.
- Each principal shall develop communications with respect to searches. Students will be informed that lockers, desks, and any other school furniture or school fixtures capable of being used for storage are property of the school division and as such, are subject to inspection or search at any time. Search procedures will be published and communicated to students and to parents or guardians.
- If there are reasonable grounds to believe that a breach of school rules is being, or has been committed, and that a search will provide evidence concerning this breach, the principal may conduct a locker search or search desks or any other school furniture or school fixtures capable of being used for storage.
- The principal shall have the right to search student book bags and gym bags when there is reasonable suspicion.



- e. The principal shall notify the police in cases where a vehicle driven by a student is suspected of containing prohibited articles. The principal shall notify the parents and request a search of the vehicle in cases where calling the police is not warranted.

3. Police Interviews with Pupils

- a. All requests from a police for interviews with students shall be directed to the principal or designate.
- b. RCMP interviews with students or staff shall take place off school property and outside of school hours except in extenuating circumstances, including
 - i. presentation of a warrant,
 - ii. when police can indicate the necessity and reasons for immediate action, or
 - iii. where police can clearly demonstrate to the principal that such action would be in the best interest of the student.
- c. The regulations do not apply in instances where students are questioned pursuant to an investigation where it is suspected that the student is in need of protection further to The Family and Child Services Act.

4. Arrest of Pupils

- a. A principal or staff member will not interfere with the arrest of a student by the police.
- b. The principal or designate shall make every reasonable effort to notify a parent or legal guardian of the student's removal from school.
- c. In the event of an arrest or apprehension, the student and police shall leave the school premises immediately upon the arrest or apprehension being carried out.
- d. The principal must notify a parent or legal guardian if a student is to be removed from the school premises.

Related

Police Action in Schools Protocol (*internal document*)