



PROCEDURE PR.533.SCO

TITLE: POLICE INVOLVEMENT IN SCHOOLS

Date issued: August 1998

Last revised: 27 May 2008

Authorization: Senior Staff: 21 May 1998

1.0 OBJECTIVE

To facilitate appropriate involvement of the Ottawa Police Service in schools, in support of a safe learning and work environment.

2.0 DEFINITIONS

In this procedure,

- 2.1 A critical incident is a serious, often violent incident, which is defined by the Ministry of Education to be:
- a) possession of weapons (e.g. guns, knives);
 - b) using a weapon to cause or to threaten bodily harm;
 - c) threats of serious physical injury;
 - d) physical assaults requiring treatment by a medical practitioner;
 - e) sexual assault;
 - f) trafficking in weapons or illegal drugs;
 - g) robbery and extortion;
 - h) giving alcohol to a minor;
 - i) bullying;
 - j) any hate-motivated violence (e.g. incidents involving racism, homophobia); and
 - k) vandalism causing extensive damage to school or property located on school premises.
- 2.2 The Ministry requires that all critical incidents be reported to the police, regardless of the age of the student.

- 2.3 The definition of a weapon as provided in the Board's Weapons Procedure PR.525.SCO is:
- a) anything used or intended for use in causing death or injury to persons whether designed for such purpose or not;
 - b) anything used or intended for use for the purpose of threatening or intimidating any person; or
 - c) anything deemed by the principal/designate to be dangerous or a threat to the safety of others (see Board Procedure PR.525.SCO for further elaboration).
- 2.4 A School Resource Officer (S.R.O.) is a police officer assigned to schools through the Youth Service Section of the Police Service. The S.R.O. provides an accessible police resource to the school community, offering a consistent and purposeful response to issues through prevention, intervention and enforcement strategies. The S.R.O. may be called upon both formally and informally by the school principal when it is felt that police intervention is in the best interests of a student and/or the school.
- 2.5 Adult Student - is a student who is 18 years or older or 16 or 17 and has removed him/herself from parental control.

3.0 RESPONSIBILITY

- 3.1 The school principal.

4.0 PROCEDURES

Note:

- a) The following procedures are governed by the *Protocol to Accompany Safe Schools Policies in the City of Ottawa* (2001) and that document should always be consulted along with this procedure.
 - b) A child under the age of 12 cannot be charged under federal or provincial law with any offence. However, the school or Board is not similarly constrained in imposing discipline.
- 4.1 The principal will carry out a preliminary investigation to establish the nature and extent of any alleged offence on school premises or at school-related activities or as a result of an activity which has occurred off school property where the principal believes that it will have an impact on the school climate. However, once the principal establishes that there are reasonable grounds to believe that an offence requiring police involvement has been committed or a decision has been made to contact police for other reasons, the principal should cease his/her investigation until the police arrive.
- 4.2 When a police officer arrives at a school, the officer should contact the principal or designate to confirm the purpose of the visit and to provide proper identification.
- 4.3 The principal will, upon request, provide the police with a student's full name, date of birth, address and telephone number, when advised that such information is being requested to aid a criminal investigation or an investigation leading to a court or tribunal proceeding. Principals should record the details of the request and the information provided. The police are not entitled to access to or disclosure of any additional

personal information on a student without the production of the appropriate legal authorizing document such as a search warrant or court order.

- 4.4 In exceptional circumstances, where police advise that notification to parents/ guardians might jeopardize the safety of a student of any age, for example in a case of possible child abuse, the principal will not proceed to notify the parents/guardians and will allow the interview to proceed under police authority.
- 4.5 The procedures in 4.2 to 4.5 above apply both when a report is made by the principal to police about a student, and when police initiate involvement.
- 4.6 The Ministry of Education requires that police be involved whenever a critical incident as defined in section 2.1 occurs, regardless of the age of the alleged offender. Specific requirements for reports to police and for interviews by police, depending on the student's age, are as follows:
- a) For students under the age of 12
- (i) The principal may report to the police when a student:
 - (A) is acting in a manner which places other students or staff at risk; or
 - (B) is acting in such a manner that the principal feels the assistance of the police could be beneficial.
 - (ii) When a student under 12 years of age is to be interviewed by the police, the principal will not allow the interview to proceed unless a parent/guardian has been contacted and a parent/guardian, or, if not available, another person acting *in loco parentis*, with the confirmed consent of the parent, is present. *Note:* A record of all attempts made to contact parents/guardians must be kept.
 - (iii) The principal will contact the Children's Aid Society when there are serious concerns about a young student's behaviour or well-being. This may take place in co-operation with the police. Consult Board Procedures PR.605.SCO and PR.606.SCO (see References) in such cases.
- b) For students from twelve to seventeen years of age
- (i) The principal may report to the police when a student:
 - (A) is acting in a manner which places other students or staff at risk; or
 - (B) is acting in such a manner that the principal feels the assistance of the police could be beneficial.
 - (ii) When the police interview a student between 12 and 17 years of age (who is not an adult student), the principal will:
 - (A) contact the parent/ guardian;
 - (B) make every attempt to have a parent/guardian or any other adult chosen by the student acting *in loco parentis* is present, unless the principal is satisfied the student has specifically waived his/her right to have a parent/guardian or other adult present;
 - (C) if a parent/guardian cannot be contacted, allow the interview to proceed under police authority;
 - (D) keep a record of all attempts made to contact parents/ guardians.
- c) For adult students
- (i) The principal may report to the police when a student:
 - (A) is acting in a manner which places other students or staff at risk; or

- (B) is acting in such a manner that the principal feels the assistance of the police could be beneficial.
 - (ii) When the police interview an adult student, a parent/guardian or other adult will be contacted and present only at the student's own request.
- 4.7 It is the responsibility of the police to inform the student who is being interviewed regarding his or her rights and to ensure that any waiver of such rights is done in compliance with the law.
- 4.8 For routine investigations involving incidents which are not school-related, the school should encourage police to interview students outside the school and outside school hours unless there is immediate danger or emergency, or unless contacting the student at school is a last resort. Similarly, the police should be encouraged to make any arrests of students off school property wherever possible.
- 4.9 If there are reasonable and probable grounds to believe that a criminal investigation will result from a search, the principal should contact the police prior to the search and/or request police to attend the search for evidentiary purposes. The principal may secure a location for search by police. (See Board Procedure PR.534.SCO: Investigation, Search and/or Seizure (Students)).
- 4.10 Police Services may conduct a search independently of the principal only upon the production of the appropriate search warrant or other legal authority. If in doubt about the legal authority of police to conduct a requested search, the principal should seek advice from the appropriate Superintendent responsible for Schools and/or legal counsel.
- 4.11 The principal will report all incidents reported to the police in accordance with Board Procedure PR.528.SCO: Critical Incident Review Process.

5.0 REFERENCE DOCUMENTS

Education Act

Child and Family Services Act, R.S.O. 1990, c. 11

Youth Criminal Justice Code

Provincial Model for Local Police/School Board Protocol, MOET, 2000

Protocol to Accompany Safe Schools Policies in the City of Ottawa, 2011

Regional Safe Schools Committee of Ottawa, June 2001

Board Policy P.026.SCO: Student Suspension and Expulsion

Board Policy P.032.SCO: Safe Schools

Board Policy P.034.SCO: Substance Abuse

Board Policy P.036.SCO: Weapons

Board Policy P.043.SCO: Police Involvement in Schools

Board Policy P.106.SCO: Access to School/Board Premises

Board Procedure PR.515.SCO: Student Suspension/Investigation/Possible

Expulsion Board Procedure PR.521.SCO: Safe Schools

Board Procedure PR.522.SCO: Smoking

Board Procedure PR.523.SCO: Substance Abuse

Board Procedure PR.524.SCO: Access to School/Board Premises

Board Procedure PR.525.SCO: Weapons

Board Procedure PR.528.SCO: Critical Incident Review Process
Board Procedure PR.534.SCO: Investigation, Search and/or Seizure (Students)
Board Procedure PR.542.HR: Alleged Employee Misconduct Toward a Student
Board Procedure PR.543.HR: Alleged Harassment of a Student
Board Procedure PR.544.HR: Alleged Harassment/Abuse of a Student by a Student
Board Procedure PR.605.SCO: Reporting Suspected Child Abuse and Neglect
Board Procedure PR.606.SCO: Alleged/Suspected Violence Within a Student's Family