

FORT LA BOSSE SCHOOL DIVISION

TITLE - **ARREST/APPREHENSION OF STUDENTS***

POLICY - **JIHF-R**

Approval Date - 11/02/02

Cross Reference -

Resolution # - 51/02

Implementation - 11/02/02

Legal Reference - Child and Family Services Act Section 17(1)

Last Reviewed - 25/04/12

When faced with the impending arrest or apprehension of a student, the Principal, or designate, should first determine that the attending official believes it is necessary to take the student into custody during the school day. If that is determined to be in the best interests of all concerned, then the Principal, or designate, will provide assistance according to the following guidelines while;

- acting so as to comply with the request(s) of the RCMP Officer(s) and/or CFS Worker
- understanding that they are not an advocate for the student
- making no attempt to correct any real or perceived errors of fact and /or procedure

A. Arrest by an RCMP Officer

1. Whenever practical, the meeting between the student and the police officer will take place in the Principal' s office.
2. The student has the right to contact legal counsel, a parent, legal guardian or relative in order to make them aware of the situation and ask that they attend.
3. The arresting officer must advise the student of his rights.
4. If the student is to be taken into custody at the school the Principal will request that the arresting officer complete a "Student Release Form" ([JIHF-E](#)) accepting responsibility for the student's care and well being.
5. Before the student is escorted from the school, the Principal will request the arresting officer attempt to contact the student's parent(s) or legal guardian(s) and inform them of the action being taken. If it is not possible to contact an appropriate advocate, it is incumbent upon the arresting officer to notify a parent or guardian as soon as it is reasonably possible.
6. As soon as possible after the student is formally placed "under arrest", the officer(s) in attendance should take the student and leave the school.
7. The Principal or designate will advise the Superintendent of Schools of a student's arrest as soon as possible after the student is removed by the police.
8. As soon as is reasonably possible all school personnel involved in the incident should compose a time dated statement outlining their perceptions of the event. These items should be placed in an administrative file kept in the office that is stored separate and apart from all student documentation.
9. Notwithstanding the above considerations, school-related violent acts while occurring will be responded to in a manner that is appropriate under the circumstances.

Apprehension by Child and Family Services

Child and Family Services representative may exercise his powers of apprehension with or without a warrant. Under The Child and Family Services Act a child may be apprehended when a child protection worker believes, on reasonable and probable grounds, that " ...a child is in need of protection where the life, health or emotional well-being of the child is endangered by the act or omission of a person. "

1. Once satisfied as to the identity of the Child and Family Services (CFS) representative, the Principal or designate will request the completion of a "Student Release Form".
2. The Principal or designate will then have the student brought to the office where custody for the student's care and well being will be transferred to the CFS worker.
3. Once custody has been transferred, the Principal or designate will permit the student to leave the school.
4. The Principal or designate will advise the Superintendent of Schools of the student apprehension as soon as possible after the student and the CFS worker have left the school
5. It is the responsibility of the CFS representative to advise the parent(s)/guardian(s) of his action.
6. The Principal or designate may also notify the parent(s)/guardian(s) after the student and CFS worker have left the school.
7. The completed "Student Release Form" (Form [JIHF-E](#)) should be attached to the administrator's incident report and filed at a location other than the student's file.

