

AVON MAITLAND DISTRICT SCHOOL BOARD

ADMINISTRATIVE PROCEDURE

NO. 351

SUBJECT: CODE OF CONDUCT

Legal References: *Education Act: Section 265 Duties of Principal; Education Act: Part XIII Behaviour, Discipline and Safety; Guideline - Ontario Schools Code of Conduct; Ministry of Education Policy and Program Memorandum (PPM) 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools; PPM128 The Provincial Code of Conduct and School Board Codes of Conduct; PPM144 Bullying Prevention and Intervention; PPM145 Progressive Discipline and Promoting Positive Student Behavior; Cannabis Control Act, 2017; Cannabis Act, 2018*

Related References: *Board Policy 13 Appeals and Hearings Regarding Student Matters; Administrative Procedure (AP) AP138 Positive Workplace Environment; AP142 Religious Accommodation; AP160 Access to School Premises; AP175 Accidents, Incidents and Occupational Illnesses; AP179 Lockdown and Hold/Secure; AP266 Field Trips and Excursions; AP352 Promoting Positive Student Behavior Including Progressive Discipline and Bullying Prevention and Intervention; AP353 Student Suspension; AP354 Student Expulsion; AP355 Student Dress Code; AP356 Substance Abuse by Students; AP357 Violence-Free Schools; AP364 Search and Seizure Guidelines; AP405 Allegations Against Employees and Volunteers; AP467 Delegation of Authority/Teacher-In-Charge; AP495 Volunteer Programs in the Schools; Police/School Board Protocol (Appendix B, AP 351)*

A school should be a place that promotes responsibility, respect, civility, and academic excellence in a safe, respectful learning and teaching environment. All members of a school community have the right to be safe, and to feel safe, in their school community. The Avon Maitland District School Board Code of Conduct (included as Appendix A) establishes the expectation that in all district schools, all members of the school community will foster and maintain safe, positive, orderly, nurturing and respectful teaching, learning, and working environments to create positive school climates.

1. Objectives of the Code of Conduct

This code of conduct has been developed:

- 1.1 To comply with the Ministry of Education requirement that Avon Maitland District School Board develop a Code of Conduct;
- 1.2 To ensure that all members of the school community, especially people in positions of authority, are treated with respect and dignity;
- 1.3 To identify standards of behaviour expected for students, staff, and other members of the school community;
- 1.4 To promote responsible citizenship by encouraging appropriate participation in the civic and digital life of the school community;

- 1.5 To maintain an environment where conflict and differences can be addressed in a manner characterized by respect and civility;
- 1.6 To encourage the use of non-violent means to resolve conflict;
- 1.7 To promote the safety and well-being of all people in our schools;
- 1.8 To discourage the use of alcohol and illegal, restricted or illicit drugs such as prescription medication for the non-intended user and, except by a medical cannabis user, cannabis; and,
- 1.9 To prevent bullying (including cyber) and other inappropriate acts where a person's dignity or physical presence is threatened in schools.

2. Guiding Principles

- 2.1 A school is a place where respect, civility, and academic excellence are promoted in a safe, positive and inclusive teaching and learning environment.
- 2.2 All members of the school community, including students, parents/guardians, volunteers, teachers, and support staff have the right to be safe, and feel safe, in their school community. With this right comes the responsibility to be law-abiding citizens, and to be accountable for actions that place at risk the safety or well-being of any person whether they are on school property, on school buses, at authorized school events or activities, or in other circumstances that could have an impact on the school culture.
- 2.3 The standards of behaviour in the Code of Conduct apply not only to students, but to all members of the school community.
- 2.4 The standards of behaviour in the Code of Conduct apply during school hours and at school events which fall outside the normally scheduled school day, on the way to and from school, on school buses and buses used for school events, and at all school events whether on school property or at an alternate location.
- 2.5 All members of the school community are to be treated with respect and dignity.
- 2.6 Members of the school community are expected to use non-violent means to resolve conflict.
- 2.7 The Avon Maitland District School Board's expectation is that school learning environments will be safe, inclusive, orderly, positive and respectful. They must be free from abuse, bullying, discrimination, intimidation, hateful and/or profane words and deeds, and physical violence in any form.
- 2.8 The Avon Maitland District School Board is committed to establishing and maintaining high expectations for behaviour in order to help students develop appropriate behaviours and self-discipline as responsible members of a democratic society. It also supports the efforts of principals, staff, and the community to provide programs that emphasize early identification, conflict prevention and intervention, counseling, and the inclusion of social and global and digital citizenship skills in the curriculum and daily life.

3. Roles and Responsibilities

- 3.1 The board, Director of Education, and system and school administrators provide direction to the schools that promotes opportunity, excellence, and accountability in the education system by:
 - 3.1.1 developing procedures that set out how the schools will implement and enforce the Ontario Schools Code of Conduct and other rules that they develop as related to the provincial standards for respect, civility, responsible citizenship, and physical safety;
 - 3.1.2 seeking input from school councils and reviewing these procedures regularly with students, staff, parents/guardians, volunteers and the community;
 - 3.1.3 establishing a process that clearly communicates the Ontario Schools Code of Conduct to all parents, students and staff in a manner that ensures their commitment and support;
 - 3.1.4 requiring that all groups using school spaces comply with the provincial, board and school Codes of Conduct;
 - 3.1.5 providing intervention strategies and responses to all infractions related to the standards for respect, civility, responsible citizenship and physical safety; and,
 - 3.1.6 providing opportunities for all staff to acquire the knowledge, skills and attitudes necessary to develop and maintain academic excellence and safe learning and teaching environments.

- 3.2 Principals, under the direction of the board, Director and senior administrators, take a leadership role in the daily operation of their schools. They provide this leadership by:
 - 3.2.1 demonstrating care and commitment to academic excellence and a safe teaching, learning and working environment;
 - 3.2.2 holding everyone under their authority accountable for their behaviour and actions;
 - 3.2.3 empowering students to be positive leaders in their classroom, school, and community; and,
 - 3.2.4 communicating regularly and meaningfully with all members of their school community.

- 3.3 Teachers and school staff members, under the leadership of their principals, maintain order in the school and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, staff members uphold these high standards when they:
 - 3.3.1 help students maximize their outcomes;
 - 3.3.2 create positive, inclusive learning environments;
 - 3.3.3 empower students to be positive leaders in their classroom, school, and community;
 - 3.3.4 communicate regularly and meaningfully with parents, as appropriate;
 - 3.3.5 maintain consistent standards of behaviour for all students;
 - 3.3.6 demonstrate respect for all students, staff, parents, volunteers, and the members of the school community; and,
 - 3.3.7 prepare students for the full responsibilities of global and digital citizenship.

- 3.4 Students are to be treated with respect and dignity. In return, they must demonstrate respect for themselves, for others, and for the responsibilities of global and digital citizenship through acceptable behaviour. Respect and responsibility are demonstrated when students:
 - 3.4.1 come to school prepared, on time and ready to learn;

- 3.4.2 show respect for themselves, for others, and for those in authority, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, physical or intellectual ability;
 - 3.4.3 refrain from bringing any object to school that may compromise the safety of others;
 - 3.4.4 follow the established rules and take responsibility for their own actions; and,
 - 3.4.5 comply with the school's dress code and Code of Conduct.
- 3.5 Parents/guardians play an important role in the education of their children and have a responsibility to support the efforts of school staff in maintaining a safe and respectful learning environment for all students. Parents/guardians fulfill this responsibility when they:
- 3.5.1 show an active interest in their child's school work and progress;
 - 3.5.2 communicate regularly with the school;
 - 3.5.3 help their child be appropriately dressed, practice good hygiene and be prepared for school;
 - 3.5.4 ensure their child attends school regularly and on time;
 - 3.5.5 promptly report to the school their child's absence or late arrival;
 - 3.5.6 become familiar with the Code of Conduct and school rules;
 - 3.5.7 encourage their child to respect diversity;
 - 3.5.8 encourage and assist their child in following the rules of behaviour; and,
 - 3.5.9 assist school staff in dealing with disciplinary issues involving their child.
- 3.6 Police and community partners play an essential role in making our schools and communities safer. Community partners can act as a resource to the board in the delivery of prevention and intervention programs. Community partners need to support and respect the rules of their local schools. Police investigate incidents in accordance with the protocol developed with the local school board.

4. Standards of Behaviour

- 4.1 The following standards are outlined in the Ontario Code of Conduct, and apply to school communities in Avon Maitland District School Board:
- 4.1.1 Respect, Civility and Responsible Global and Digital Citizenship
All members of the school community must:
- a) respect and comply with all applicable federal, provincial and municipal laws;
 - b) demonstrate honesty and integrity;
 - c) respect differences in all people, and value others' ideas and opinions;
 - d) treat one another with dignity and respect at all times and especially when there is disagreement;
 - e) respect and treat others fairly, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, physical or intellectual disability;
 - f) respect the rights of others;
 - g) show proper care and regard for school property and the property of others;
 - h) take appropriate measures to help those in need;
 - i) seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully;
 - j) respect all members of the school community, especially persons who are in a position of authority;
 - k) respect the need of others to work in an environment that is conducive to learning and teaching, by ensuring that cellphones and other personal

mobile devices are only used during instructional time for education purposes (as directed by an educator), for health and medical purposes and/or to support special education needs; and,

- l) not swear at or threaten a teacher or another person in a position of authority or support personnel.

4.1.2 Safety

All members of the school community must not:

- a) engage in bullying or harassing behaviour;
- b) commit sexual assault;
- c) sell, share, or distribute weapons or illegal or restricted drugs or prescription medications for the non-intended user;
- d) sell, share or distribute alcohol to a minor;
- e) commit robbery;
- f) be in possession of any weapon, including but not limited to, firearms;
- g) use any object to threaten or intimidate another person;
- h) cause injury to any person with an object;
- i) be in possession of, or under the influence of alcohol, illegal or restricted drugs including prescription medications for the non-intended user, or cannabis unless the individual is a medical cannabis user;
- j) inflict or encourage others to inflict bodily harm on another person;
- k) engage in hate propaganda and other forms of behavior motivated by hate or bias;
- l) engage in physical, oral, written, electronic comment, sexual or psychological abuse, harassing behaviour, bullying, or discrimination on the basis of race, culture, creed, gender, language, sexual orientation, physical or intellectual ability; or,
- m) commit an act of vandalism that causes extensive damage to school property or to property located on the premises of the school.

4.2 In addition to these standards, all members of the school community in Avon Maitland District School Board have the responsibility to:

- a) contribute to making the school environment safe, inclusive and conducive to learning and working;
- b) be a partner in the school community and work cooperatively with each other;
- c) model appropriate behaviour;
- d) comply with the school dress code;
- e) support this Code of Conduct by upholding the standards of behaviour; and,
- f) report infractions of this Code of Conduct to the administration as per Administrative Procedure 352 Promoting Positive Student Behaviour Including Progressive Discipline and Bullying Prevention and Intervention.

5. Consequences for Unacceptable Behaviour

- 5.1 It is recognized that students are at various stages of learning acceptable behaviour. Consequences for actions will be appropriate to the individual, related to the circumstances and/or actions, nature and severity of the behaviour, and the impact on the school climate. The principle of progressive discipline, with consideration for mitigating factors, will be used when appropriate.

Please refer to:

AP 352 Promoting Positive Student Behaviour Including Progressive Discipline and Bullying Prevention and Intervention;
AP 353 Student Suspension; and,
AP 354 Student Expulsion.

- 5.2 Police will be involved when required as indicated by the Police/School Board Protocol (Appendix B).
- 5.3 If staff members contravene the Code of Conduct, consequences will follow the Avon Maitland District School Board's personnel procedures.
- 5.4 For an individual, other than staff or students, who is in the school, or on school premises, and who is unable to follow the Code of Conduct, the principal, in consultation with the Regional Superintendent or Superintendent of Education (Safe Schools), may exclude the individual.
- 5.5 Where there is an allegation against staff of student harassment or other inappropriate behaviour, principals should apply Administrative Procedure 405 Allegations Against Employees and Volunteers.
- 5.6 Where there is an allegation of 'staff to staff' harassment, principals should apply Administrative Procedure 138 Positive Workplace Environment, contact the Superintendent of Education (Human Resources), and notify the appropriate union representative.

6. School Level Plans

- 6.1 Each school shall have a Code of Conduct consistent with the provincial and district's procedures.
- 6.2 The school Code of Conduct will:
 - a) communicate to all members of the school community, in a positive manner, the types of behaviour expected of them;
 - b) promote positive student behaviour while establishing clear and fair consequences for unacceptable behaviour;
 - c) use a whole school progressive discipline strategy that utilizes a continuum of interventions, supports and consequences, including opportunities for reinforcing positive behavior while helping students make good choices;
 - d) promote responsible global and digital citizenship by encouraging appropriate participation in the civic life of the school community;
 - e) be developed in consultation with all members of the school community;
 - f) be reviewed at least every three (3) years by a committee composed of staff, students and school council;
 - g) be shared with students, staff, parents/guardians and the community; and,
 - h) be prominently displayed in schools/school handbooks/website, etc.
- 6.3 All school community members bear a shared responsibility for building a supportive learning environment and for the monitoring and implementation of the school Code of Conduct as per Administrative Procedure 352 Promoting Positive Student Behaviour Including Progressive Discipline and Bullying Prevention and Intervention.

7. Review and Communication

- 7.1 The board Code of Conduct shall be reviewed every three (3) years in consultation with the Parent Involvement Committee and the Special Education Advisory Committee.

- 7.2 Each school's Code of Conduct shall be reviewed every three (3) years in consultation with the School Council, Safe Schools Team and the Students' Council.
- 7.3 Information regarding the revised Codes of Conduct will be shared with members of the community through the board website, school websites, and/or school newsletters and student handbooks.

CODE OF CONDUCT

Dear Student:

You are a unique individual. You and your education are very important to us. We encourage you to be energetic, enthusiastic, and committed to learning.

To create the conditions for your success, our school must have a safe, positive, orderly and nurturing school and online environment. We share the responsibility to promote respect, civility, and responsible citizenship, and to treat others fairly, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, and physical or intellectual ability.

We will assist you in solving problems and protect your right to learn. While recognizing the wide range of ages and stages of maturity and development of the students in our school, expectations will be clearly communicated, and if required, discipline will be progressive, fair and consistent.

We look forward to helping make your school experience positive and rewarding.

Cultivating Character

Fairness

Treating everyone in a just and excepting manner

Honesty

Being Trustworthy, sincere and truthful

Empathy

Understanding how someone else feels

Respect

Valuing self, others and our world

Courage

Facing the challenge

Integrity

Doing what is right and honourable

Optimism

Choosing to be positive

Compassion

Showing care and consideration

Perseverance

Staying purposeful and committed

Responsibility

Being reliable and accountable

Introduction to the Code of Conduct

There is a *Code of Conduct* for all schools in the Avon Maitland District School Board. Included in this Code are the standards of behaviour and mandatory consequences outlined in the *Provincial Code of Conduct*, legislated by the provincial government.

These standards of behaviour apply not only to students, but to all members of the school and school-related online community. The school community includes parents/guardians, volunteers, support workers, school staff, and all those who contribute to the school. These standards apply on school property, school buses, online, and at school-authorized events and activities. In fact, these standards govern any activity (in school, online or out of school) that will have an impact on the climate of the school.

The information provided outlines:

- Guiding Principles
- Roles and Responsibilities
- Standards of Behaviour
- Consequences for Unacceptable Behaviour

Guiding Principles

All members of the school community are to be treated with respect and dignity whether in person or online. Members of the school community are expected to maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility. Non-violent strategies shall be used to resolve conflict.

The Avon Maitland District School Board believes that school learning environments must be safe, positive, respectful and orderly. They must be free from abuse, bullying, discrimination, intimidation, hateful words and deeds, and physical violence in any form.

The board is committed to establishing and maintaining high expectations for behaviour in order to help students develop appropriate behaviours and self-discipline as responsible members of a democratic society. It also supports the efforts of principals, staff, and community agencies who provide programs that emphasize early identification, conflict prevention and intervention, counselling and the inclusion of social skills in the curriculum.

Responsibility

Responsibility creates a community of respectful individuals. It is not always easy to make responsible choices, especially if someone else is not acting appropriately. It is important to remember that individuals control their own actions.

Why?

Before respecting other people or other people's authority or property, one must demonstrate self-respect. Students are capable of making appropriate choices. Drug and alcohol abuse, inappropriate sexual behaviour, physical or verbal assault, and bullying (including online/cyber) are not compatible with the dignity of the school community.

Respect for the Rights and Property of Others

Everyone has the right to be safe and feel safe in the school and online communities. Individuals are expected to be courteous to, respectful of, and compassionate to those in need. Respect for school property and the personal property of others must be demonstrated at all times.

Why?

Our school communities are better places to learn and work when the rights and property of

others are respected. This includes being polite, accepting differences among people, and encouraging others to do their best. Bullying and harassment, in person or online, are unacceptable behaviours.

Bullying

Bullying is a form of repeated, persistent, aggressive behavior that is directed at an individual or individuals and is intended to cause (or could be known to cause) fear, distress and/or harm to another person's body, feelings, self-esteem or reputation.

Bullying adversely affects students' ability to learn and undermines healthy relationships and the school culture. Bullying will not be accepted on school property, at school-related activities, on school buses, online, or in any other circumstances where engaging in bullying will have a negative impact on the school climate.

Academic Expectations

Students are expected to attend school, be on time and be prepared for all classes. Prepared means bringing all notebooks, textbooks, iPads, and necessary material to class and completing assigned homework (as directed by the educator).

Why?

Daily school attendance is important for student success. Missing class time affects student achievement and the progress of the class. Best effort generates best results.

Roles and Responsibilities

Students

All students are to be treated with respect and dignity. Students must demonstrate respect for self and others in our school and online communities. Students are expected to demonstrate responsible global and digital citizenship.

Students are responsible citizens when they:

- come to school prepared, on time and ready to learn;
- show respect for themselves, for others, and for those in authority, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, physical or intellectual ability;
- include all students in their school activities;
- refrain from bringing any object to school that may compromise the safety of others;
- follow established rules and take responsibility for their own actions; and,
- comply with the school's dress code and Code of Conduct.

Staff

Teachers and school staff, under the leadership of school administration, are expected to adhere to the highest standard of respectful and responsible behaviour.

As role models, staff uphold these high standards when they:

- demonstrate and model respect for all students and colleagues;
- model inclusive behaviours and actions;

- help students maximize their outcomes;
- communicate regularly and meaningfully with parents;
- maintain high expectations and consistent standards of behavior for all students; and,
- prepare students for the full responsibilities of citizenship, both locally and globally.

Parents/Guardians

Parents/Guardians have a responsibility to support the school community.

Parents/Guardians fulfil this responsibility when they:

- communicate regularly with teachers and promptly report to the school children's absence or late arrival;
- encourage inclusive and respectful behavior for all;
- ensure that children attend school regularly, on time and prepared to learn;
- encourage and assist children to follow the Code of Conduct, school and online expectations;
- work in partnership with school staff to address student concerns and disciplinary issues; and,
- promote good hygiene and appropriate clothing choices.

Principals

All principals and vice principals must comply with the requirements of the *Education Act* and Regulations.

Principals, as school leaders, have a duty to manage the operations of the school. They provide leadership by:

- demonstrating care and commitment to student success and a safe teaching, learning and working environment;
- modeling an inclusive school and online environment;
- holding everyone accountable for behaviour and actions;
- communicating regularly and meaningfully with school communities; and,
- assisting staff in meeting individual student needs.

Community Partners

Police and community agencies work in partnership with the board to actively promote, support and recognize appropriate and positive student behavior. The Police respond and investigate incidents at the school in accordance with the Police-School Board Protocol. Where inappropriate behavior occurs, disciplinary measures will be both corrective and supportive.

- Community partners play an essential role in safe schools.
- Community resource agencies deliver prevention and intervention programs.

Standards of Behaviour

The following standards apply to all school communities in the Avon Maitland District School Board.

Respect, Civility and Responsible Global and Digital Citizenship

All school community members:

- respect and comply with all applicable federal, provincial and municipal laws;

- demonstrate honesty and integrity;
- treat each other with dignity;
- respect differences in people and treat others fairly, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, physical or intellectual ability;
- respect the rights of others in school and online;
- seek assistance, if necessary, to resolve conflict peacefully;
- show proper care and regard for school property and for the property of others; and,
- assist those in need.

Consequences for Unacceptable Behaviour

Students are at various stages of learning acceptable behaviours. Consequences for misbehavior, shall require consideration for mitigating factors, include a number of progressive options, and will be appropriate to the individual and related to the circumstances.

Consequences may include:

- warnings;
- notification of parents/guardians;
- time-outs;
- restricted privileges;
- withdrawal from classes;
- restorative practices including restitution or community service;
- detentions;
- conflict mediation and resolution;
- peer mentoring;
- referral to counseling and/or consultation;
- suspension; and/or
- expulsion.

Principals and teachers take into account the student's age, level of maturity, and other mitigating factors when considering appropriate consequences. The goal of any consequence is to help the student learn acceptable behaviour. Principals will access the board's support services when required.

Suspension is the denial of a student's privilege to attend school and/or school activities for a specified period of time

Expulsion is the full-time withdrawal of a student's right to attend a particular school or every school in the board.

Special Circumstances

When deciding to impose a suspension or expulsion, a principal will consider:

- whether the student has the ability to control their behaviour;
- whether the student has the ability to understand the foreseeable consequences of their behaviour; and,
- whether the student's continuing presence in the school creates an unacceptable risk to the safety or well-being of any other individual at school.

Infractions for which a suspension may be considered:

- uttering a threat to inflict serious bodily harm on another person; possessing alcohol, illegal or restricted drugs, illicit drugs including prescription medication for the unintended user, cannabis, unless the individual is a medical cannabis user;
- swearing at a teacher or at another person in a position of authority;
- committing an act of vandalism against any school property or to property located on the school premises;
- bullying (including cyber bullying);
- persistent opposition to authority;
- willful destruction of school property;
- habitual neglect of duty;
- the use of profane language or gestures which convey a disrespectful or inappropriate message;
- any act considered by the principal to be injurious to the moral tone of the school;
- any act considered by the principal to be injurious to the physical or mental well-being of any member of the school community; or,
- any act considered by the principal to be contrary to the board or school Code of Conduct.

Long Term Suspensions

- Where a student is suspended for six (6) or more days, the student will be assigned an alternative program (Alternative Suspension Program, ASP). A Student Action Plan (SAP) will be developed for every pupil who agrees to participate in an Alternative Suspension Program.
- The principal/designate will hold a planning meeting to develop the SAP.
- A student suspended for eleven (11) or more school days will be provided with educational and social supports where appropriate and available.

POLICE/SCHOOL BOARD PROTOCOL

In accordance with the requirements of the Ministry of Education
and the
Ministry of the Solicitor General

Avon Maitland District School Board
Huron-Perth Catholic District School Board
Ontario Provincial Police – Huron, Perth
Stratford Police Service
Wingham Police Service
Huron-Perth Children's Aid Society

Written in 2000
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Revised in 2011
Revised in 2016
Revised in 2019

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1.0 Participants in the Protocol

The District School Boards and Police in Huron and Perth Counties, in the Town of Wingham and in the City of Stratford, have a history of working cooperatively to encourage the safety of students, and to provide programs in schools that address crime prevention, drug/alcohol awareness, and school bus safety.

These efforts are enhanced by the development of this protocol for the investigation of school-related occurrences through the cooperative efforts of the following:

**Avon Maitland District School Board
Huron-Perth Catholic District School Board
Ontario Provincial Police (Huron, Perth)
Stratford Police Service
Wingham Police Service
The Children's Aid Society of Huron-Perth**

DRAFT

3.0 Statement of Principles

This protocol is based on the following guiding principles:

- the need to have a clear understanding of police and school responsibilities;
- the need to promote respect and civility in the school environment;
- the need to respect fundamental rights of students, teachers and staff pertaining to disability, race, creed, ethnic origin, and other prohibited grounds of discrimination under the *Ontario Human Rights Code*; and
- the need to provide a balance between rights and responsibilities.

4.0 Introduction

4.1 In Huron and Perth Counties, the Police and the two District School Boards believe that all members of the educational community have the right to be educated in and work in an environment which is safe, free from violence and which promotes respect for self, for others and for property.

4.2 The signatories recognize their shared responsibility for the safety of students, staff and members of the school community. Police play a vital role in supporting and enhancing the efforts of schools and their communities to be safer places in which to learn and work. In addition to responding to and investigating school-related incidents, police are essential partners in the prevention of crime and violence.

4.3 This document is an agreement among the partners to cooperate and communicate, when possible, in police-related investigations and in their dealings with students. It is intended to:

- provide for a greater degree of safety and protection of students, teachers, staff, and volunteers in schools;
- encourage constructive, ongoing, adaptive and responsive partnerships between police and school community;
- facilitate appropriate sharing and disclosure of information in accordance with privacy laws, including FIPPA and MFIPPA;
- promote joint consultation and partnerships between school boards and police services with respect to maintaining a safe school environment;
- promote a consistent approach in the way police and schools/school boards respond to school-related occurrences; and
- ensure that the obligations and requirements of both the education police systems are met; and
- ensure an equitable and consistent approach across both school boards' jurisdiction in the way police and schools respond to a school-related occurrence.

5.0 Relevant Legislation

5.1 This protocol recognizes that there are federal and provincial pieces of legislation that affect the District School Boards, the students and the school community at large. These include, but are not limited to:

- *The Criminal Code of Canada;
- *Youth Criminal Justice Act;
- *Controlled Drugs and Substances Act;

- Smoke Free Ontario
- Freedom of Information and Protection of Privacy Act;
- *Food and Drugs Act;
- Education Act;
- Municipal Freedom of Information and Protection of Privacy Act;
- The Canadian Charter of Rights and Freedoms;
- Child and Family Services Act;
- Trespass to Property Act;
- Immunization of School Pupils Act;
- Liquor License Act; and
- Ontario Human Rights Code.

(* Federal legislation)

5.2 It should be noted that federal legislation, such as the *Criminal Code of Canada*, takes precedence over provincial legislation such as the *Education Act*.

Note: Under the *Youth Criminal Justice Act*, “child” means a person who is or, in the absence of evidence to the contrary, appears to be less than twelve years old. “Young person” means a person who is or, in the absence of evidence to the contrary, appears to be twelve years old or older, but less than eighteen years old.

6.0 The Role and Mandate of Police Services

Note: In cases of exigent circumstances, police will assume primary responsibility as may be necessary to ensure school safety.

6.1 The primary role of the police is to provide these five core functions:

- law enforcement;
- victims' assistance;
- crime prevention;
- public order maintenance; and
- emergency response.

These functions include intervening in crises and emergencies, conducting investigations and

- engaging and working proactively in partnership with school officials to ensure the effectiveness of this protocol;
- protecting public safety and preventing crime;
- enforcing the *Criminal Code of Canada*, the *Police Services Act*, the *Youth Criminal Justice Act*, and other federal, provincial, and municipal legislation and related regulations;
- upholding the duties legislated under s.42 of the *Police Services Act*;
- assisting victims of crime;
- conducting police and criminal investigations;
- protecting public safety and preventing crime;
- assisting in the development of young people's understanding of good citizenship;
- promoting and fostering a reduction of crime, both against and committed by

- young people;
- providing information on community safety issues;
- diverting young people away from crime and antisocial behavior; and
- working in partnership with other government and community-based organizations to support positive youth development.

6.2 As such, the role and mandate of the police services involves assisting school boards in preserving the peace, preventing crime and providing assistance to victims of crime. This ultimately involves assisting in the preservation of a safe learning and working environment for students, staff and others lawfully on the school property.

7.0 The Role of the School Board

School boards have the responsibility to develop a code of conduct, to implement measures that promote safe schools, and to include violence prevention in the curriculum.

School boards must also ensure that all staff, including occasional, part-time, or itinerant teachers, have the means, training, and resources to implement the provisions of this protocol that may apply to them, including the ability to lock their classroom doors during a lockdown (see Appendix C).

Boards, through their administrators, must implement this protocol and communicate its contents to members of the school community. Feedback from school communities will be used as part of the process to review this protocol (Section 21.0 Protocol Evaluation Process).

In cases of exigent circumstances, the police will assume primary responsibility as may be necessary to ensure school safety. The principal will continue to have a role consistent with his/her statutory responsibility for the health and welfare of students and will maintain discipline in the school.

7.1 Role of the Principal

Note: For the purposes of this document, “principal” shall mean “principal or principal designate”.

Under the *Education Act* and accompanying Regulations, the principal of a school has an obligation to maintain order and discipline in the school. Where criminal offences are committed on school property or involve students of a school, it is necessary for the principal and the police to work cooperatively in fulfilling their respective obligations and responsibilities.

It is recognized that principals have been appointed to administer the schools and to exercise their judgment in determining what circumstances warrant informing, and seeking assistance from their Superintendent of Education and the police.

It is also the principal's duty to:

- maintain, in accordance with the requirements of relevant legislation and board

- policies, a safe, orderly learning and working environment for students, staff and others lawfully on school property;
- act *in loco parentis* (in place of the parent) to the students of the school;
- clearly explain the board's code of conduct to students and their families, including details such as the definition of the term weapon and the fact that school discipline may be applied for behaviours taking place outside of school that have a negative impact on school climate;
- engage and work proactively in partnership with police officials to ensure the effectiveness of this protocol;
- meet his/her legislated responsibilities when conducting investigations of incidents for which suspension or expulsion must be considered under the *Education Act*, including the responsibility to take mitigating and other factors into account, as set out in Ontario Regulation 472/07;
- comply with the requirements legislated under the *Child and Family Services Act* (e.g., duty to report);
- respect the board's code of conduct, as required by the *Education Act* (s. 302);
- ensure resources (e.g., on drug awareness, on bullying prevention) are accessible to assist school staff in promoting a positive school environment with students and parents;
- develop policies on how to respond to crises, including a communication plan;
- ensure appropriate prevention and intervention strategies are available to ensure a safe school;
- provide staff with opportunities to acquire skills necessary to promote safe, equitable and inclusive school environments;
- implement provincial and board policies and procedures related to safe school;
- encourage awareness of policies and procedures by staff, students, parents and school communities;
- communicate with school councils about this protocol; and
- cooperate, when possible, with the police and community agencies.

From time to time, violent incidents that occur off school property have an impact on the school community. In the spirit of this protocol, the principal may wish to provide information concerning such incidents, as it becomes known, to the police.

7.2 Role of the Teacher

Teachers share the responsibility with administrators to maintain proper order and discipline in their classrooms, and while on duty in the school and on the school grounds (*Education Act, s.264 (1)(e)*). Under the leadership of their principal, teachers must maintain order in the school and are expected to hold everyone to the highest standard of respectful and responsible behaviour.

Teachers must also:

- ensure that all reasonable safety procedures are carried out in classes and activities for which the teacher is responsible;
- cooperate with the principal and other teachers to establish and maintain consistent disciplinary practices in the school (*Reg. 298 s.20(g)(h)*);
- report to the principal any infractions of the code of conduct which could lead to a suspension or an expulsion (*Education Act s. 300.2*); and

- respond to incidents in the school which may have a negative impact on the school climate (*Education Act s. 300.4*).

7.3 **Role of School Staff**

All members of school staff share the responsibility of creating a positive learning environment for students. Under the leadership of their principal, staff must maintain order in the school, and are expected to hold everyone to the highest standard of respectful and responsible behaviour. In addition, all staff must report to the principal any infractions of the code of conduct which could lead to a suspension or an expulsion (*Education Act s. 300.2*). Finally, staff who work directly with students must respond to incidents in the school which may have a negative impact on the school climate (*Education Act s. 300.4*).

7.4 **Role of Students**

Students are responsible for abiding by the requirements in the boards and provincial codes of conduct while on school premises, on school buses and on out-of-school activities that are part of the school program.

Students are also required to:

- follow the board and school code of conduct;
- exercise self-discipline;
- attend classes punctually and regularly;
- be courteous to fellow students and obedient and courteous to teachers; and
- show respect for school property (*Reg. 298 S.23 (1)(b)(c)(d)(h)*).

7.5 **Role of Parents/Guardians**

Parents/guardians play an important role in the education of their children and have a responsibility to support the efforts of school staff in maintaining a safe and respectful learning environment for all students (*Policy/Program Memorandum 128: The Provincial Code of Conduct*).

8.0 **Occurrences Requiring Police Involvement or Response**

Police Response: Police will respond when a call is placed by the school, or by a victim of a crime, and when the police presence is needed. A police response is also required for offences outlined in section 9.1 of this protocol.

Police Involvement: In all other situations, the principal (or designate) may request police involvement. In such cases, an initial assessment of the situation will be conducted by the principal (or designate) and communicated to the responding police officer. The police will determine if an investigation is necessary.

- 8.1 The following incidents **require** notification of police as soon as is practically possible:
- all deaths;

- physical assault causing bodily harm requiring medical attention;
- sexual assault;
- robbery;
- criminal harassment;
- relationship-based violence;
- possessing a weapon, including possessing a firearm;
- using a weapon to cause or to threaten bodily harm to another person;
- selling, sharing, and/or distribution of alcohol, cannabis and/or illegal or licit drugs including prescription medication, and weapons;
- possessing alcohol, cannabis (with the exception of an intended medical cannabis user) and/or an illegal or licit drug;
- hate and/or bias-motivated occurrences;
- gang-related occurrences;
- extortion;
- arson; or
- bomb threats;
- nonconsensual sharing of intimate images

8.2 The following incidents may result in notification of police at the discretion of the principal:

- giving alcohol to a minor;
- being under the influence of alcohol, cannabis or illegal or licit drugs for the non-intended user, with the exception of a medical cannabis user;
- threats of serious physical injury, including threats made on social networking sites or through instant messaging, email, etc.;
- incidents of vandalism; or
- trespassing.

8.3 All other school-related incidents will be dealt with on a case by case basis.

The principal should consider mitigating and other factors when deciding whether to call the police in these discretionary situations. For example, it might not be necessary or appropriate for the principal to contact police when a student with an identified behavioural disability hits another student in the class.

Mitigating and additional factors to be considered:

Before deciding on consequences, the principal shall consider the following mitigating and additional factors.

- whether the student has the ability to control his or her behaviour;
- whether the student has the ability to understand the foreseeable consequences of his or her behaviour;
- whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school;
- the student's academic, discipline and personal history;
- whether progressive discipline has been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;

- whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, ethnic origin, religion, creed, disability, gender or gender identity, sexual orientation or related harassment for any other reason;
- the impact of the discipline on the student's prospects for further education;
- the student's age; and
- where the student has an IEP or disability related needs:
 - a) whether the behaviour causing the incident was a manifestation of the student's disability;
 - b) whether appropriate individualized accommodation has been provided;
 - c) whether a suspension is likely to result in aggravating or worsening the student's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct.

8.4 The offence of trespassing is now covered by two Acts: the *Trespass to Property Act*, and *Access to School Premises, Reg. 474/00* under the *Education Act*.

Trespass to Property Act - When a principal has reason to require that an individual may not be on school property, he/she can issue a trespass letter and copy this to the police. The police can respond without having the warning letter. In the presence of the police, the principal (or designate) then directs the person to leave. If the person refuses to comply, the police have the authority to remove that person under this Act.

Education Act Reg. 474/00 – A principal has the authority to tell a person to leave the school premises. If the person complies, the police do not need to be informed unless the principal chooses to do so. If this same person comes on school property again, the police will be called to deal with the person as a trespasser.

9.0 Information Sharing and Disclosure

There are several legal authorities pertaining to disclosure:

- s. 32(g) of the *Municipal Freedom of Information and Protection of Privacy Act*;
- s. 42(g) of the *Freedom of Information and Protection of Privacy Act*;
- s. 110(1) of the *Youth Criminal Justice Act* (identity of offender not to be published);
- s.125(6) of the *Youth Criminal Justice Act* (provides for access to records by a representative of a school board or school for specific purposes, as set out in the Act);
- binding case law;
- any existing policies or protocols on disclosure and/or information sharing among schools, police services, courts and correctional services;
- the *Ontario Student Record Guideline, 2000*;and
- *Child and Family Services Act*.

In situations where federal and provincial laws are in conflict with each other, the federal law takes precedence.

The signatories to this protocol believe that it is in the best interest of the community to, where appropriate, share information to ensure the safety and well-being of each community member.

9.1 Ontario Student Record Guideline

- Records of violent incidents leading to suspensions or expulsions, and of reports to police are maintained in the Ontario Student Record (OSR).
- In court proceedings, subject to an appeal, the judge's order must be followed. If a principal receives a court order requiring the release of an OSR, the principal should contact the appropriate Supervisory Officer to obtain legal counsel. As a general rule, the principal should go to court with both the original OSR and a complete and exact copy, and should propose to the judge that the photocopy be submitted instead of the original. The principal should also inform the judge that the subpoena is inconsistent with section 266(2) of the *Education Act*. The principal must, however, relinquish the documents if ordered to do so by the judge (*OSR Guideline, 2000, p.15*).
- The *Education Act* has specific provisions governing control and access to the Ontario Student Record (OSR). Section 266(2) states that the OSR will not be produced in the course of any legal proceedings. There may be occasions, however, when access to the OSR of current students or former students will be sought.
- Suspension records, Violent Incident Report Forms, etc. may be producible pursuant to a search warrant or a subpoena. In such cases, principals should consult with their Supervisory Officer about obtaining legal advice (*Ontario Student Record (OSR) Guideline, 2000, p.15*).

9.2 The police can access a student's Ontario Student Record (OSR) by warrant or subpoena, or with the written consent of a parent or of the student, if the student is 18 years of age or older or if the student is 16 or 17 years of age and no longer living under the control of his or her parent. In exigent circumstances, the police can access a student's OSR without a warrant, under section 487.1.1 of the *Criminal Code*.

9.3 Youth Criminal Justice Act (YCJA)

The YCJA sets out the procedural requirements for dealing with young person's charge with offences. [Refer to Part 6 (ss. 110 to 120) of the YCJA, "Publication, Records and Information".]

There may be occasions when it is necessary for police to share confidential information with school officials. Section 119 of the YCJA provides the circumstances under which confidential information may be shared.

The following subsections of Part 6 are of particular relevance for police/school board protocols:

- subsection 110(1), which states that no person shall publish the name of the young person or any information that would identify the young person as a young person dealt with under the YCJA;
- subsection 111(1), which states that "no person shall publish the name of a child or young person, or any other information related to a child or a young person, if it would identify the child or young person as having been a victim

- of, or as having appeared as a witness in connection with, an offence committed or alleged to have been committed by a young person”;
- subsection 118, which states that no person shall be given access to a record and no information in the record shall be given to any person, where to do so would identify the young person as being dealt with under the YCJA;
- subsection 125(1), which states that “[a] peace officer may disclose to any person any information in a record kept under section 114 (court records) or 115 (police records) that it is necessary to disclose in the conduct of the investigation of an offence”; or
- subsection 125(6), which permits a provincial director, youth worker, peace officer, or any other person engaged in the provision of services to young persons to disclose to a representative of a school board or school any information kept in a record under sections 114 to 116 of the YCJA if the disclosure is necessary:
 - to ensure compliance with an order made by the youth justice court for a young person released from custody to attend school;
 - to ensure the safety of staff, students, or other persons; or
 - to facilitate the rehabilitation of the young person.

9.4 **Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)**

This legislation regulates the collection and disclosure of personal information that is not related to the YCJA. Per subsection 32(g) of the MFIPPA, schools may release personal information “if disclosure is to an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result”.

9.5 **Children and Family Services Act (CFSA)**

The overall duty, under subsection 72(1) of the CFSA, is to report to a children’s aid society those children who are suspected to be in need of protection. The duty to report specifically identifies persons “who perform professional or official duties with respect to children” including teachers, principals and other education workers.

This provision applies as well to information that is confidential or privileged, except under solicitor/client privilege, and there is no liability against a person who reports unless the reporting was done maliciously or without reasonable grounds.

The following are general guidelines. School personnel are to refer to their Board's operating procedures or guidelines. Also, see Appendix B for the revised Policy/Program Memorandum No. 9 *Reporting Children in Need of Protection* (August 10, 2001).

- In situations where a teacher, school administrator, professional support person or other board personnel have reasonable grounds to suspect that a child is in need of protection as defined by the *Child and Family Services Act*, the person shall immediately report the suspicion and the information on which it is based to the Children's Aid Society (CAS) in the jurisdiction that the child normally

resides.

- The individual who suspects that a child is in need of protection has a personal and/or professional duty to report directly to the CAS; that duty cannot be delegated to, or assumed by anyone else, including a principal, professional support staff or senior administrator, under s. 72(1) of the Act. (The individual may request the presence of any of these staff members while making the report to the CAS.) This requirement overrides the provisions of any other provincial statute that may prohibit disclosure. Information should be shared in a manner that respects the vulnerability of children who may be in need of protection. The *Youth Criminal Justice Act*, s.35, also outlines the authority to refer a young person to a child welfare agency to determine whether the youth is in need of child welfare services.
- Assessing the validity of a suspicion is the responsibility of the CAS. Once a child has disclosed, he/she must not be subjected to further questioning by any other board person. Further questioning constitutes investigation and is the responsibility of the CAS. School personnel must avoid interfering with the investigative process.
- Information required by the CAS should include:
 - identification of the alleged child victim and any other children under the age of 18 who may have contact with the alleged offender;
 - identification of the alleged offender;
 - nature of the suspicion of the child in need of protection;
 - identity of the staff reporting the incident;
 - date, time and location where the information was received and/or incident occurred or observed; and
 - any other information that would support a pattern of abuse/neglect.
- The individual making the report should consult with the principal regarding the report. Consultation should be available, but shall not remove the reporting obligation from the individual nor impede the timeliness of the report.
- Once a report is received by the CAS, the social worker will develop a strategy for informing the parents and will discuss the strategy with the reporting person. Prior to notifying the parents/guardians that a report has been made, consultation will occur between the principal and the CAS worker doing the investigation to determine when, how, and by whom the parents/guardians will be notified.
- The social worker will keep school personnel advised of the strategy for responding to the report so that school personnel may assist where required. Any investigative role is clearly the mandate of the CAS. The strategy will include consideration of appropriate time lines such as when the child is expected at home, or when a parent/guardian may arrive to pick up the child from school. The strategy should also include provisions for supporting the child prior to and during the initial interview and/or investigation. A support person should be a person of the child's choosing.
- Consultation with the CAS is available in situations where an individual is unsure of whether the circumstances constitute reasonable grounds to suspect, thereby requiring a report to be made. In such consultation, the individual would explain a situation without giving names or other identifying data. The consultation would not constitute a referral or require any follow-up by the CAS.

10.0 School Procedures for Reporting to Police

- 10.1 Requirements to report abuse are detailed in the respective Board's policies and procedures, as well as in Policy/Program Memorandum No. 9 *Reporting Children in Need of Protection* (Appendix B). The 'duty to report' provisions are required under the *Child and Family Services Act*.
- 10.2 Refer to the respective Board's policies and procedures regarding responses to emergency situations.
- 10.3 Refer to school emergency plans and crisis response plans for procedures for reporting an imminent threat to the safety of students and/or staff.

11.0 Initial Police Contact

- 11.1 Under exigent circumstances, or if the principal is being investigated, the officer is not required to follow the procedures set out in 12.2.
- 11.2 The police officer who responds to a report of a school-related incident is responsible for obtaining and documenting information on the incident. The responding officer is normally required to take the following steps:
 - report, upon arrival at the school, to the principal (or designate) and provide, if required, proper identification;
 - explain the purpose of the visit, and plan with the principal on how to proceed;
 - consider alternatives to limit the disruption to the school day;
 - obtain information from the principal about the student (e.g., regarding accommodation needs or barriers to communication) before making contact with the student; and
 - contact, or make arrangements with the principal to contact, parents of the students under the age of 18 (see Section 14).
- 11.3 If the focus of the investigation or complaint is regarding the principal/principal's designate, or involves other exigent circumstances, the police will advise the respective Director of Education, providing it does not jeopardize the investigation.
- 11.4 If police are aware of illegal activity that occurs after hours on school property they should, if appropriate, notify the principal of the school and discuss the actions taken. It is not the role of the principal to investigate matters of this nature.

12.0 School and Police Investigations of Incidents

While it is important that the principal not do anything to prejudice the police investigation, it is also important that the police recognize and respect the principal's obligations under the Education Act. For example, under the Act, a school board's decision regarding expulsion of a student must be made within twenty school days from the date when the student was suspended. Police need to be aware of this fact and should, when possible, share with the principal information that may be relevant to that decision. In addition,

protocols should refer to the need for police and schools to cooperate, whenever possible, regarding their investigations.

Note that police investigations should also be undertaken in accordance with the local police service's criminal investigation management plan and, where required, with the Ontario Major Case Management Manual.

The principal will inform police of any logistical information about the school (e.g., the hours of the school day and class rotation schedules) that may be relevant to the investigation process. Police services will endeavour to work within these logistical considerations in order to minimize the disruption to the school. Unless other options have been exhausted, police services should not use the school as a place of convenience in which to interview or arrest students for matters that do not pertain to the school.

12.1 Legal Rights

In the investigation of school-related incidents where a young person is a suspect, particular attention should be given by the principal and police to procedures that are consistent with the following provisions:

- parental notification upon arrest (s. 26, Youth Criminal Justice Act);
- right to counsel (s. 25, Youth Criminal Justice Act);
- right not to make a statement (s. 146, Youth Criminal Justice Act); and
- protection of privacy (s. 110, Youth Criminal Justice Act).

12.2 Age of Student

- Students who are 18 years of age or over, at the time of the offence, are adults and fall under the Criminal Code, and not the Youth Criminal Justice Act. Principals must not notify parents/guardians unless asked to do so by the student.
- Under the Youth Criminal Justice Act, a 'young person' is any person between the ages of 12 and 17 (inclusive). The parents/guardians will be notified.
- If a child under age 12 commits an offence, the CAS must be notified.
- Although persons under the age of 12 cannot be charged criminally, police shall still be called to investigate offences (as listed under Police/School Board Protocol, 7.1) and to facilitate communication among the school personnel, the parents/guardian(s) and community agencies. The parent/guardian is a partner in this process and shall be notified in every case.

12.3 Search and Seizure

Where investigations involve search and seizure, the police and the principal should pay particular attention to the following procedures and responsibilities:

- procedures for personal and premise searches, must be in accordance with the Ministry of Community Safety and Correctional Services' Guidelines LE-011 on search of premises, and LE-012 on search of persons, and relevant federal legislation;
- the principal maintains a continuing responsibility for students even when police are on school premises.
- The *Canadian Charter of Rights and Freedoms* (s.8) states, "Everyone has the right to be secure against unreasonable search or seizure." In carrying out his/her duties to maintain proper order and discipline in the school, the

principal (or designate), who has reasonable belief to do so, may conduct a search of a student's possessions or any area (desk, locker) where the student's possessions may be stored. The principal (or designate) may request that a police officer be present when the search is occurring.

- In the event of the need for a search of a person, the principal/designate shall notify the police and have them conduct the search. The police will decide if a search is warranted. School personnel shall not conduct these searches.
- **It is the responsibility of the principal to advise the students at the beginning of the school year that desks and lockers are considered school property and that a search of such property is permissible by school administration. This notification should be done in writing through the student handbook, website or a letter home and it should also be brought to students' attention verbally (in class or at an assembly).**
- It is highly recommended that at least one other adult be present when a locker or desk is opened to avoid any allegations of wrongdoing.
- A principal/designate has the duty to carry out the investigation to establish the nature and extent of the offence, but if it becomes apparent that an offence has been committed, the police shall be notified.
- In the case of minor infractions, it will be left to the discretion of the principal as to whether or not the police and/or the appropriate Supervisory Officer are contacted.
- in the event of a principal's absence from the school premises, the designate will notify the appropriate Supervisory Officer of the Board. The Supervisory Officer will make arrangements to attend the interview or assign another principal to attend.

12.4 Detainment and Arrest

- When a student is to be arrested, police shall not be denied access to the student.
- The police shall, in the interest of school safety and morale, consult with the principal/designate and consider alternatives to the extent possible, and effect the arrest at a location other than the school.
- When a student is to be arrested on school premises during school hours, and so long as circumstances permit, police will contact the principal/designate to arrange for a suitable procedure by which the police will access the student.
- There may be circumstances in which physical restraints will be necessary. These will be applied with full regard to the safety of those involved, in accordance with this protocol, police procedure and the arresting officer's discretionary powers.
- The police officer shall follow the Ministry of the Solicitor General's Guideline on Arrest and observe local police policies and procedures, in accordance with the Ministry of Community Safety and Correctional Services' Guideline LE-005 on arrest and the Youth Criminal Justice Act.
- A police officer acting on reasonable grounds that an offence has been committed, may enter upon Board property without a warrant to affect an arrest.
- It is the responsibility of the police to attempt to contact a parent or legal guardian of persons under the age of 18 to inform him/her that an arrest has been affected.

12.5 Supports for Victims

The common goal of the school staff and the police is to minimize trauma to victims, and to support the security and healing of victims.

Other responsibilities include:

- the principal's obligation to inform the parents of victims who have been harmed as a result of an activity for which suspension or expulsion must be considered unless, in the principal's opinion, doing so would put the victim at risk of harm from the parents (Education Act, s. 300.3(1) and O.Reg. 472/07);
- the obligation of all board employees who work directly with students to support all students, including those who disclose or report such incidents, by providing them with contact information about professional supports (e.g., public health units, community agencies, Help Phone lines);
- the obligation of Police and school staff to inform victims of the services available to them and other considerations, such as:
 - police services for victims;
 - student support services of the local school board;
 - services offered by other municipal, community, and social service agencies, including legal services (e.g. Victim Services of Huron Perth);
 - access to information;
 - confidentiality of victim and witness identity (s. 111, Youth Criminal Justice Act); and
 - procedures for information sharing and community referrals.

13.0 Police Interview of Students

The following procedures will be followed, except in exigent circumstances, when the police interview students on school premises:

- The principal must make every effort to contact parents of the student as soon as possible before an interview takes place;
- In the course of conducting an investigation the police may wish to speak to a student about his/her possible involvement in a criminal incident, or as a potential witness;
- While it is advisable, there is no obligation on the part of the witness to provide information to the police. Prior to conducting an interview, police will advise a potential student witness that his/her participation in the interview is voluntary;
- If at all possible, the interview of the student should occur off school property before or after the school day;
- If an interview off school property is not possible, the police shall inform the principal of the nature of the police officer's visit, and the principal shall cooperate;
- Where practical, the interview shall be conducted in private and school personnel shall assist the police in locating an appropriate location within the school; and
- If the police suspects the child is in need of protection, he/she shall follow the procedures established in the *Police Protocol* with the CAS.

Note: If the parents/guardians refuse to grant permission for the student to be interviewed by the police, the school administrator will request that the police conduct their

investigation off school property. Police officers can interview the student without the parent's permission.

13.1 Parental Notification

- Except in exigent circumstances, it is the principal's responsibility to contact parents of:
- victims who have been harmed as the result of an activity for which suspension or expulsion must be considered, unless, in the principal's opinion, notification of the parents would put the student at risk of being harmed by the parents. If that is the case, the parents must not be contacted (Education Act, s. 300.3(3));
- students receiving a suspension (Education Act, s. 311);
- all other students being interviewed by police during an investigation, except:
 - if the principal is otherwise directed by police because of exigent circumstances or where the police believe the parent may be implicated;
 - if the student is 18 years of age or older (unless the student consents to or requests such contact or is incapable of providing consent); or
 - if the student is 16 or 17 years of age and has withdrawn from parental control (unless the student consents to or requests such contact or is incapable of providing consent).

If a CAS is involved, school and police officials should discuss and come to agreement with the CAS regarding the timing and procedure for notifying the parents.

If a student is detained or arrested, the police will notify his or her parents unless the student is 18 years of age or older. The parents should not be contacted if the police determine that doing so may endanger the safety of the student or another person or the integrity of an investigation. In such cases, the student will be advised that he or she may contact another adult person.

Prior to interviewing the student under the age of 18, the police officer shall advise the student that he/she may request the presence of a parent/guardian or relative for the interview.

When a young person under the age of 18 is detained, arrested, or charged with a criminal offence the procedure under Part 3 s.25 and s.26(1) of the *Youth Criminal Justice Act* shall be followed(i.e., notice to parent, right to counsel, right to phone a parent/guardian).

If the CAS is involved, the Child Protection Worker will consult with the principal and police regarding the appropriateness of notifying the parent/guardian.

If the parent/guardian of a student under 18 cannot be contacted, the student may identify another adult relative, or the principal may, with the consent of the student, be present during an interview held at the school.

Note: If the student is a ward of the Children's Aid Society, and living in a foster home, the legal guardian is considered to be the Children's Aid Society.

13.2 Preparation for Interviews

Procedures and considerations related to preparing for interviews include the following:

- determining whether circumstances allow for the interview to be conducted at the student's home or another location rather than at school, in view of the stigma and the potential impact on the student;
- evaluating the need for specialized resources where a student is known to have mental health needs or special education needs;
- determining the methodology of the interview;
- deciding which officer will take the lead in conducting the interview, if more than one officer is interviewing;
- arranging for the audio/videotaping of interviews and statements, and meeting the requirement for police to inform the interviewee that the conversation is being recorded; and
- determining the need for an interpreter (e.g., a language interpreter, an interpreter for a student who is deaf or hard of hearing) and/or for information to be provided in an alternative format (e.g., Braille for a student who is blind or has low vision).

13.3 Conduct of Interviews

Procedures and considerations related to conducting interviews include the following:

- the need for police officers to employ appropriate techniques when interviewing children and young persons;
- the requirement that police follow the Guide to Officers for Section 146 Youth Criminal Justice Act Statements (see Appendix D);
- the requirement that police provide, upon arrest or detention, a legal caution and notification of the right to counsel where there are reasonable grounds to believe that the student being interviewed has been involved in the commission of a criminal offence;
- taking into account legal considerations respecting the admissibility of statements made to persons in authority (s. 146(2) of the Youth Criminal Justice Act);
- involving the local Children's Aid Society in the interview process, which is recommended when an interview involves a child who may be in need of protection; and
- the requirement that an adult be present throughout the interview, except when the student can waive and has waived the right to have an adult present. Best efforts must be made to have the student's parent(s) or another adult of the student's choice present. In circumstances when this cannot be done, the principal must attend the interview.

13.4 Legal Rights

- It is the responsibility of the police officer to inform the student of his/her constitutional rights, where there are reasonable grounds to believe that the student has committed a criminal offence (*Canadian Charter of Rights and*

Freedoms s. 10).

- Students under the age of 18 may request, or waive the right to have, the presence of a parent or legal guardian during an interview with the police. This waiver should be documented and witnessed by the police and the principal. This waiver does not remove the principal's obligation to contact the parent or legal guardian of the student.
- If the parent or legal guardian is unable to be contacted, the student may request the principal to be present during the interview. The principal may be subsequently involved in a court proceeding as a witness to the interview.
- If the student is not in attendance that day, the school shall inform the police officer of the student's address, telephone number and date of birth, if requested to do so (*Municipal Freedom of Information and Protection of Privacy Act s.32(g)*).

14.0 Reporting of Children Suspected to be in Need of Protection

- 14.1 Every person who has reasonable grounds to suspect that a child is or may be in need of protection must make the report directly to a Children's Aid Society (CAS), and must not rely on anyone else to report on his or her behalf (s.72(2) Child and Family Services Act).
- 14.1.1 The duty to report cannot be delegated to, or assumed by anyone else, including a principal or vice-principal, professional support staff or senior administrator. The individual may request the presence of any of these staff members while making the report to the CAS.
- 14.1.2 Third party disclosure must be reported without interviewing the victim.
- 14.2 School personnel must not conduct an investigation regarding the suspicion or disclosure and should question the student only to clarify the nature of the complaint. In certain situations the CAS may request the principal to ask specific questions to assist in determining the safety needs of the child.
- 14.3 The duty to report is an ongoing obligation. If a person has made a report about a child to a CAS and has additional reasonable grounds to suspect that the child is or may be in need of protection, that person must make a further report to the CAS.
- 14.4 The legal duty to report suspected abuse to the CAS under the Child and Family Services Act applies when alleged victims are under the age of 18 or were under the age of 16 when the alleged abuse occurred.
- 14.5 Assessing the validity of a suspicion is the responsibility of the CAS. It is not the staff member's responsibility to prove that the student has been abused or neglected or to determine whether the student is in need of protection.
- 14.6 Once a student has disclosed, he/she must not be subjected to further questioning by any other staff member. Further questioning constitutes investigation and is the responsibility of the CAS. Staff must avoid interfering with the investigative process. In certain situations the CAS may request the principal to ask specific questions to assist in determining the safety needs of the child.

- 14.7 An initiating incident occurs when a district staff member has a reasonable suspicion that a student has been abused. Consultation with the CAS is available in a situation where an employee is unsure whether the circumstances constitute reasonable grounds to suspect, thereby requiring a report to be made. In such consultation, the individual would explain the situation without giving names or other identifying data. The consultation would not constitute a referral or require any follow-up by the CAS. If a staff member is in doubt, he or she should consult.
- 14.8 Staff members are further encouraged to review the district's procedures and protocol for reporting children in need of protection with the principal/supervisor or designate.
- 14.9 Where an employee has reasonable grounds to suspect that a child is or may be in need of protection, it is the responsibility of the employee to make a direct and immediate report to the CAS by calling the Huron office at 524-7356 (1-800-265-5198) or the Perth office at 271-5290 (1-800-668-5094).
- 14.10 The employee will notify the principal/supervisor or designate immediately or as soon as possible after that a report has been made to the CAS and request Form 346 Reporting a Child in Need of Protection.
- 14.11 If a staff member is advised by the CAS worker that the suspicion and/or disclosure(s) do not warrant an investigation, the staff member shall record the worker's name, the date and the time of the consultation.
- 14.12 As the safety and protection of the student is the paramount concern, the person reporting to the CAS should inform the worker of any of the child's family circumstances which may help in the investigation. In addition, the following questions should be asked:
- How and when should the parents be contacted?
 - Will the child be interviewed?
 - Will the investigators go to the home or the school, and when will they be investigating or consulting?
 - May the child go home at lunch or after school if the interview has not yet taken place?
 - What information can be shared with the child and his/her parents if the interview has not yet taken place?

15.0 Investigations Involving Students with Special Education Needs

Since school administrators have a duty to ensure that all members of the school community are able to work and learn in a safe and positive environment, they are obliged to report incidents to police as outlined in section 9 of this document. However, in investigations that involve a student known to have special education needs, additional considerations must be taken into account by school personnel and police.

When an investigation involves a student (or students) known to have special education needs, and who may be identified as having an exceptionality category including

behaviour, communication, intellectual, physical, or multiple, the following must be considered:

- the responsibility of the school to communicate to the police that a student is known to have special education needs or communication difficulties;
- the requirement to accommodate the student, especially when interviewing is necessary. Every attempt should be made to provide specialized supports/resources, as needed, for the student during an investigation; and
- the need to ensure that the student's parent is contacted as soon as possible, except in exigent circumstances or where the police believe the parent may be implicated in the incident.

In cases involving students with special education needs, the principal should review the student's Individual Education Plan (IEP) and other relevant student records in order to identify whether further intervention strategies and/or resources are required for the student. These may include the development of and/or revisions to a behaviour management plan or a safety plan.

16.0 Occurrences Involving Students Under Age 12

Where children under the age of 12 are involved, school boards are expected to use their discretion in applying the rules outlined in section 9 (above) for reporting incidents to the police. Children under 12 cannot be charged with an offence under the Criminal Code, Youth Criminal Justice Act, or the Provincial Offences Act, but police may take reports of incidents allegedly committed by students in this age group and may respond in an appropriate manner. Early intervention for children involved in such incidents is essential, and involving police and parents as early as possible may facilitate the provision of appropriate intervention and support.

In addition, the principal is required to conduct an investigation of incidents for the purpose of school discipline (e.g., where a recommendation for suspension or expulsion may be required) regardless of the age of the students involved.

When investigating incidents involving children less than 12 years of age, the following points should be considered:

- the requirement to notify the child's parent as soon as possible, except in exigent circumstances or where the police believe the parent may be implicated in the incident;
- the authority police have to take reports, make referrals to additional services (e.g., health/counselling), and conduct interviews;
- the circumstances under which there is a duty to report children suspected to be in need of protection to the local children's aid society, under subsection 72(1) of the Child and Family Services Act (e.g., when there is evidence of abuse or neglect, or the risk thereof; when the child has committed serious acts and the child's parents are not accessing appropriate treatment); and
- the requirement to provide accommodations and/or modifications for students with special education needs, as outlined in their IEPs.

17.0 School Board Communication Strategy

The purpose of this plan is to inform school communities about the contents of this protocol. It is expected that this information will be provided to the following members of the school communities by September 1, 2016:

Communication Plan 2016

<i>School Community Members</i>	<i>Strategies and People Responsible</i>
School Administrators	An in-service session is scheduled for August 2016 for all school administrators in both school boards.
Teachers	Principals and Vice-Principals will provide in-service sessions to all members of their school staff. September 2016
School Councils	Principals will inform their School Councils. September 2016
Parents/Guardians	Principals, with the assistance of resource personnel from the committee, will provide parents/guardians with information about this protocol. As required
Community Agencies	Huron and Perth Counties have several agencies that support students and school staffs in promoting safe schools. Copies of this protocol will be made available upon request.
Federations and Unions	Arrangements will be made with the respective leaders to provide information to their membership. September 2016
Police Services Boards	The Chief or Detachment Commander, (or designate), will arrange for the information to be shared with their respective Polices Service Boards and Municipal Councils. Upon request, District School Board personnel will be available to assist.

18.0 Non-Incident-Related Police Involvement

Police provide a visible and positive image for law enforcement. They serve as a confidential source of counseling to students concerning problems they face. They bring expertise into schools that will help young people make more positive choices in their lives. They also work to protect the school environment and to maintain an atmosphere where teachers feel safe to teach and students feel safe enough to learn (*National Association of School Resource Officers*).

Principals should contact their local Community Services Officer (CSO) or School Resource Officer (SRO) to make arrangements to access programs in their community.

19.0 School/Police Role in Violence Prevention Programs

A coordinated and multifaceted approach is required to prevent school violence. Police work in partnership with schools and other community agencies to administer programs such as peer mediation, mentoring, drug awareness and education, conflict resolution and High School Crime Stoppers.

School boards and principals should develop, promote, and maintain strong partnerships with police and seek to benefit from their support in the implementation of the school's violence-prevention policies, particularly where those policies pertain to addressing the risk factors associated with antisocial, gang-related, or criminal behaviour. In a closely cooperative relationship, police may also offer support in a consulting role, to assist school personnel in determining appropriate action when dealing with violent behaviour and to explain the procedures for police investigations.

Working from a crime-prevention perspective, police can play an important role in the school community, which presents extensive opportunities for employing the strategy of "crime prevention through social development" (CPSD). CPSD involves preventing and reducing crime by identifying and addressing the risk factors associated with crime and victimization. Police use proactive measures that focus on the factors that precipitate the onset of criminal and antisocial behaviour.

CPSD recognizes that the intersection of multiple and complex social, economic, health, and environmental factors may lead to criminality. CPSD involves long-term, sustainable, multi-agency, integrated actions that deal with the risk factors (e.g., mental health issues, certain types of behavioural issues, involvement in the criminal justice system, victimization/abuse) that can start a young person on the path to crime, and build protective factors (e.g., strong adult role models, enhanced self-esteem, effective personal coping skills and strategies) that may mitigate those risks.

Strategies that schools can use to help prevent violence include:

- helping students develop social skills, including conflict-resolution skills;
- promoting positive mental health and reducing the stigma associated with mental health issues;
- proactively identifying students at risk and giving them extra support;
- using progressive discipline to teach and encourage appropriate behaviour in the school;

- viewing each student as an integral and contributing member of the school community;
- demonstrating, by example and leadership, that students' human rights are to be respected; and
- encouraging students to return to the school community after involvement with the criminal justice system, and supporting them in the process.

Strategies that police can use to help prevent violence in schools include:

- developing positive partnerships with all members of the school community, including parents;
- being visible within the school community;
- being a positive adult role model for students;
- establishing positive relationships with children and youth;
- making referrals based on the best interest of the students;
- helping deliver educational sessions on crime and criminal justice issues;
- being part of an integrated, multi-agency team that can respond to children and youth at risk of conflict with the law;
- facilitating communication and cooperation with school officials, Youth Justice Probation Services, other police officers, courts, and other social services; and
- supporting students as they return to the school community after involvement with the criminal justice system.

This protocol is one component of a broader partnership among schools and other essential community partners (including mental health providers, health care professionals, and Children's Aid Societies).

20.0 Physical Safety Issues

Alteration to the physical space (e.g. lighting, building design, landscaping) can be made by the school or boards to enhance the safety of students and staff. When requested, police services should work in cooperation with local schools to assess the physical safety of buildings and /or school premises.

21.0 Threat Management and Awareness Services

Threat Assessment Unit

The Threat Assessment Unit of the Ontario Provincial Police (O.P.P.) provides investigative support to criminal justice agencies involving threatening individual and group activities, domestic violence, workplace violence, school violence, stalking, high risk releases, threats to public figures, sexual offenders and anywhere else there is a threat of potential violence. This process entails the analysis of verbal, written and situational indicators to assess/predict the likelihood of violent acts involving occurrences of political threats, stalking (Criminal Harassment), dangerous offenders within the community or about to be released, unknown source threats, extortion and others.

Suggestions and advice include:

- categorization of threat;
- evaluation of potential harm;
- suggested methods of intervention;
- assistance in the preparation of an operational plan;

- 24 hour profiler access to provide input in critical strategic decisions;
- facilitate further access to lay enforcement, correctional, legal and medical/psychiatric expertise; and
- court testimony.

Threat Assessment is performed by the O.P.P. to offer assistance to various police services in the management of all occurrences which have a potential for violence. Assistance has been provided to investigators across Canada and internationally.

In the short time the Unit has been in operation, it has been very successful. Requesting agencies and victims have responded favorably to assessments, and suggestions for the management of dangerous or potentially dangerous occurrences and investigations. These suggestions assist in appropriate and responsible allocation of resources in accordance with observable indicators of potential violence.

Threat Assessments are only released to the person making the request. Information concerning the release of Dangerous Offenders is released to the public only after decision by the Commissioner or Chief of Police. Threat Assessment assists in all decisions in this regard for the O.P.P. and other police services. This decision is based upon the balance between individual rights and public protection.

Currently, this Unit is comprised of two full time Provincial Police officers, one seconded Peel Regional Police Officer, as well as one Correctional Services officer. This Unit responds to approximately 400 calls for service annually and is the only one of its kind in Canada.

Principals should contact their local Community Service Officer if they feel they may be dealing with a situation that is of risk to the school community.

22.0 Emergency Plan and Threats to School Safety

Every school is expected to develop an Emergency and Crisis Response Plan, which must include but is not limited to a lockdown plan and procedures following a lockdown or other emergency, a plan and procedures for dealing with bomb threats in keeping with school board and ministry policies. Teachers, staff, parents, and students should be involved in the development and monitoring of the Emergency and Crisis Response Plan, and the plan should be fully communicated to members of the school community and police services. Each principal will share the emergency and crisis response plan with the local police.

The Provincial Policy for Developing and Maintaining Lockdown Procedures for Elementary and Secondary Schools in Ontario, issued in June 2009 by the Ministry of Education and the Ministry of Community Safety and Correctional Services and included in this document as Appendix C, specifies two mandatory components, as follows:

- All publicly funded school boards in Ontario must establish a lockdown policy to ensure the development and implementation of individual school plans.
- A minimum of two lockdown drills must occur each school year.

Bomb Threat Plans and Procedures

The “Provincial Policy for Developing and Maintaining Bomb Threat Procedures for Elementary and Secondary Schools in Ontario” is included in this document as Appendix E. It specifies two mandatory requirements:

1. All publicly funded school boards in Ontario must establish a bomb threat response policy to ensure the development and implementation of individual school plans.
2. Each board must ensure that its staff, students, and other stakeholders are aware of their obligations/responsibilities within the individual school plans.

Indicate the protocol that every school should be guided by the provincial policy in developing its bomb threat plan.

23.0 Protocol Evaluation Process

- Feedback will be solicited from police and school board staff, as well as school councils during the first year of implementation.
- During the first year of the implementation of this protocol, the Committee will meet once to review the feedback that has been received. Recommendation for changes to the protocol will be made. At the end of the school year, a revised protocol will be issued.
- Thereafter, the protocol will be reviewed at least once every two years. The review is conducted by the police service and school board, which should develop an effective mechanism for soliciting input from local police governance, school staff, students, and parents.

24.0 Training

The school boards and police services will provide training on the local police/school board protocol to their respective staff on an annual basis. Best efforts should be made to include all staff, including part-time, itinerant, and occasional staff, in this training. Resources such as DVDs and other methods may be used for training.

To improve collaboration between local police services and schools:

- training will be based upon effective/leading practices; and
- where possible, the training will be delivered by police and school board personnel.

APPENDICES

Appendix A **Glossary**

Appendix B **Policy / Program Memorandum No. 9:
Children in Need of Protection**

Appendix C **Provincial Policy for Developing and Maintaining Lockdown
Procedures for Elementary and Secondary Schools in Ontario**

Appendix D **Guide to Officers for Section 146 Youth Criminal Justice Act
Statements**

Appendix E **Provincial Policy for Developing and Maintaining Bomb Threat
Procedures for Elementary and Secondary Schools in Ontario**

APPENDIX A: GLOSSARY

The purpose of this glossary is to explain some of the terms that are used in the present document or that may be used in local protocols. The definitions provided here relate only to usages in the context of this document and cannot be attributed to usages in any other document. Although some of the definitions are based on language used in the Criminal Code of Canada, they are not to be taken as the official legal definitions set out in the Code. For the actual legal definitions, please refer to the Code itself.

Assault

Intentional or unintentional force applied to another person without his/her consent.

Barricading

Creating a further barrier to a classroom or office that would obstruct the entry of an intruder, should the locked door be compromised. Barricading can be done by a number of means, including but not limited to adding a secondary locking mechanism or blocking the doorway with a large moveable object or with multiple smaller moveable objects. The barricade should be capable of being removed to allow exit from the room once the lockdown incident has been resolved.

Bodily Harm

Any hurt or injury to the complainant that interferes with the health or comfort of the complainant and that is more than merely transient or trifling in nature (Criminal Code).

Criminal Harassment

Criminal harassment occurs when: (1) a person repeatedly follows an individual from place to place or repeatedly communicates, directly or indirectly, by any means (including electronic means), with an individual, or watches the home or place of work of an individual, or engages in threatening conduct directed at a person or a member of that person's family; and (2) the victim of the criminal harassment is caused to reasonably, in the circumstances, fear for his or her safety.

Exigent Circumstances

Urgent, pressing, and/or emergency circumstances. Exigent circumstances usually exist when immediate action is required for the safety of the police or others. Such circumstances may include a bomb threat, a person possessing or using a weapon, or a fire on school property.

Expulsion

The removal of a student from his or her school or from all schools of the board. Students expelled only from their school are assigned to another school of the board. Students expelled from all schools of the board must be offered a program for expelled students. Activities for which expulsion must be considered are found in section 310(1) of the Education Act. An example is using a weapon to cause or to threaten bodily harm.

Extortion

The use of threats, intimidation, or violence towards a person to obtain something of value from that person or someone else, or to cause that person or someone else to do something.

Extra -Judicial Measures

Measures used by police to hold a young person accountable for his or her alleged criminal behaviour, in a timely manner, outside the formal youth justice system. The formal system would include charging the individual and going through the court process. Extra -judicial measures hold a youth accountable for his or her actions and provide sanctions outside of judicial proceedings. Some examples of sanctions include substance abuse counselling, volunteer work, repair of or compensation for damaged or stolen property, and a letter of apology.

Gang-Related Occurrences

Incidents involving a group, consisting of three or more persons, however organized, having as one of its main purposes the commission or facilitation of a criminal offence in which any or all of the members engage.

Harassment

Any unwelcome gesture, comment, joke, innuendo, racial slur or conduct that intimidates, demeans or offends an individual. The Ontario Human Rights Code specifically addresses all issues of discrimination by harassment by stating:

Harassment means any comment or conduct that is based on the prohibited grounds and is offensive to any employee (individual), and is known or should be known or should reasonably be known to be unwelcome, It can include such conduct as demands or threats, gestures, innuendo, remarks, jokes or slurs, display of offensive material, physical or sexual touching, or taunts about a person's body, attire, habits, customs or mannerism where they are related to any of the prohibited grounds such as race, colour, ancestry, place of origin, ethnic origin, citizenship, religion, sex (includes pregnancy), sexual orientation, age, marital status, family status, physical or mental disability, criminal charges or criminal record.

Hate and/or Bias-motivated Occurrences

Incidents (e.g., involving statements, words, gestures) motivated by hatred or bias towards an identifiable group (i.e., a group distinguished by colour, race, religion, gender, sexual orientation, or ethnic origin) that are publicly communicated and that are willfully intended to promote or incite bias or hatred against such a group.

Lockdown

A procedure used in response to a major incident or threat of violence within the school, or in relation to the school. (See Appendix B for details.)

Mitigating and other Factors.

Circumstances that must be considered by the board and school administrators in situations involving suspension and/or expulsion of a student, as required by the Education Act and as set out in Ontario Regulation 472/07 (quoted below):

2. *For the purposes of subsections 306 (2J), 306 (4J), 310 (3J), 311.1 (4J) and clauses 311.3 (7J (b)) and 311.4 (2J (b)) of the Act, the following mitigating factors shall be taken into account:*
 1. *The pupil does not have the ability to control his or her behaviour.*

2. *The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.*
3. *The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person ...*

Other factors

3. *For the purposes of subsections 306 (2J), 306 (4J), 310 (3J), 311.1 (4J) and clauses 311.3 (7J (b)) and 311.4 (2J (b)) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:*
 1. *The pupil's history.*
 2. *Whether a progressive discipline approach has been used with the pupil.*
 3. *Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.*
 4. *How the suspension or expulsion would affect the pupil's ongoing education.*
 5. *The age of the pupil.*
 6. *In the case of a pupil for whom an individual education plan has been developed,*
 - i. *whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,*
 - ii. *whether appropriate individualized accommodation has been provided, and*
 - iii. *whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.*

Negative Impact on School Climate

A possible result of inappropriate activities or behaviours, whether those activities/behaviours occur inside or outside the school. Actions or behaviours that occur outside school may still have a negative impact on school climate. For example, cyber bullying often occurs outside school, but if it targets individual students and causes them to be afraid to come to school, it is having a negative impact on school climate.

Non-consensual Sharing of Intimate Images

Knowingly publishing, distributing, transmitting, selling, making available, or advertising an intimate image of another person while knowing that the person depicted in the image did not give their consent, or being reckless as to whether the person gave their consent. The term "intimate image" refers to a visual recording such as a photograph, film, or video recording of a person in which the person is nude or engaged in explicit sexual activity and which was created in circumstances that gave rise to a reasonable expectation of privacy.

Parent/Legal Guardian

A person legally entrusted with the care of, and managing the property and rights of, another person, usually a child/youth who is under the age of 18. For the purposes of Part XIII of the Education Act, students who are 18 years of age or older, and students who are 16 or 17 years of age but have withdrawn from parental control, are considered to be adults.

Police Involvement

The follow-up that is deemed necessary after the initial response.

Police Response

The immediate contact after an incident has been reported.

Providing Alcohol to Minors

A minor is someone under the age of 19.

Requiring Medical Attention

By a medical practitioner.

Possession of Drugs

Having a controlled substance (e.g., a drug or narcotic, as set out in the Controlled Drugs and Substances Act) in one's personal possession or possessing it jointly with others, including knowingly possessing an illegal drug elsewhere.

Relationship-Based Violence

Any behaviour or action that is used to scare, harm, threaten, control, intimidate, or injure another person within an intimate relationship. The behaviour or action can be physical, sexual, or emotional, and it may comprise a single act of violence, regardless of the level of physical injury, or a number of acts forming a pattern of abuse through the use of assaultive and controlling behaviour.

Robbery

The use of violence or threats of violence to steal money or other property from a victim.

Sexual Assault

Any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. The term refers to a range of behaviours that involve the use of force or control over the victim. In some cases, no overt physical force is used – instead, the victim may be threatened with words or pressured into doing something he or she doesn't want to do.

Sexual Harassment

Can include:

- Sexist statements, jokes, innuendoes, obscene gestures
- Ogling or suggestively brushing against another
- Name-calling, teasing, sexual put-downs
- Pressuring another person, in an unwelcome way for sexual favours

Sexual Interference

Every person who, for a sexual purpose, touches, directly or indirectly, with a part of the body or with an object, any part of the body of a person under the age of fourteen years is guilty of an indictable offence.

Suspension

The removal of a student from his or her school and all school-related activities for a minimum of one school day to a maximum of twenty school days. Activities for which suspension must be considered are found in subsection 306(1) of the Education Act. An example is possessing alcohol or illegal drugs.

Theft

The act of stealing or carrying away the personal property of another person.

Threats

Any statement, act, or communication, by any means, including electronic means, of an intent to cause harm, whether physical or emotional, to any person or thing, in circumstances where the person threatened believes or has grounds to believe the threat may be carried out.

Trafficking

Assisting in any manner with the distributing of a controlled drug or substance, as set out in the Controlled Drugs and Substances Act, or with the distributing of weapons.

Trespasser

A person who is on school or Board premises without permission to be there.

Vandalism

Under the Criminal Code, this is referred to as 'mischief'.

Violent Incident

An act that is characterized by verbal or written threats, physical, emotional, sexual abuse/harassment, or racial harassment by an individual or group of individuals which has the effect of impairing or might have the effect of impairing the health and welfare of any individual or a group of individuals.

Weapon

Any article designed as a weapon or used or intended to be used for the purpose of threatening, intimidating, or injuring a person. All firearms, including replica firearms and imitation firearms, are always considered weapons.

APPENDIX B: POLICY/PROGRAM MEMORANDUM NO. 9

Issued under the authority of the Deputy Minister of Education

Date of Issue: August 10, 2001 **Effective:** Until revoked or modified

Subject: **REPORTING OF CHILDREN IN NEED OF PROTECTION**

Application: Directors of Education
Secretaries of School Authorities
Director of Provincial Schools
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial Schools

Reference: This memorandum replaces Policy/Program Memorandum N^o. 9, "Child in Need of Protection/Child Abuse Reporting Requirements", December 15, 1986.

Note: This memorandum reflects the latest version of the *Child and Family Services Act* (March 31, 2000).

Requirements for Reporting

The *Child and Family Services Act* contains provisions under Part III, Child Protection, for reporting a child who is or may be in need of protection. If any person – including a teacher, a principal, or another professional – has reasonable grounds to suspect that a child is or may be in need of protection, the act requires that the person report his or her suspicions "forthwith" to a children's aid society and provide the information on which the suspicions are based. Therefore, teachers, principals, and other professionals who, in the course of performing their professional or official duties, suspect that a child is or may be in need of protection must report this information without delay to a children's aid society. Details are given in subsection 72(1), which is quoted below in its entirety:

Despite the provisions of any other act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.

4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3.
5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
6. The child has suffered emotional harm, demonstrated by serious,
 - i. anxiety,
 - ii. depression,
 - iii. withdrawal,
 - iv. self-destructive or aggressive behaviour, or
 - v. delayed development, and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
7. The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.
8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.
10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition.
11. The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.
12. The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment.
13. The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of

the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

Subsection 72(3) of the act provides that every person who has reasonable grounds to suspect that a child is or may be in need of protection must make the report *directly* to a children's aid society, and *must not rely on anyone else* to report on his or her behalf.

In addition, subsection 72(2) states that the duty to report is an ongoing obligation. If a person has made a report about a child to a children's aid society and has additional reasonable grounds to suspect that the child is or may be in need of protection, that person must make a further report to the children's aid society.

These requirements do not prevent a school board from establishing additional policies on internal reporting procedures, but the board's policies must not conflict with the reporting requirements of the act.

Consequences of Failure to Report

Subsection 72(4) of the act makes it an offence for persons performing professional or official duties with respect to children to fail to report a child who, they suspect, is or may be in need of protection. Clause 72(5) (b) expressly identifies teachers and school principals as such persons. If a teacher or principal obtains information, *in the course of performing his or her professional or official duties*, that leads him or her to suspect that a child is or may be in need of protection, he or she must report this suspicion. If such a professional or official does not report the suspicion, he or she is liable, upon conviction for the offence, to a fine of up to \$1000.

Protection for Persons Making Reports

The duty of a professional or official to make a report overrides the provisions of any other provincial statute – that is, those provisions that would otherwise prohibit the professional or official from disclosing confidential or privileged information. In other words, a teacher or school principal must report that he or she suspects that a child is or may be in need of protection even if he or she believes that the information to be used to support the report is supposed to be confidential or privileged.

Subsection 72(7) provides that no action for making a report shall be instituted against a person who acts in accordance with the duty to report in section 72, unless the person acts maliciously or without reasonable grounds for the suspicion.

Investigation

It is the responsibility of the children's aid society and, if necessary, the police to conduct an investigation into the possibility that a child is in need of protection. School personnel who suspect that a child is or may be in need of protection should not conduct an investigation regarding their suspicions or the disclosures of the child, and shall question the child only to clarify the nature of the complaint.

Responsibilities of Directors of Education

Directors of education are requested to ensure that:

- all staff members are aware of, and understand, the relevant sections of the *Child and Family Services Act*, particularly the requirement to report suspected cases of children in need of protection;
- school board policies and procedures on reporting suspected cases of children in need of protection conform with the provisions of the *Child and Family Services Act*.

For further details, please see the *Child and Family Services Act*.

DRAFT

APPENDIX C: LOCKDOWN PROVINCIAL POLICY FOR DEVELOPING AND MAINTAINING LOCKDOWN PROCEDURES FOR ELEMENTARY AND SECONDARY SCHOOLS IN ONTARIO

Introduction

Staff, students and visitors in Ontario's schools have the right to learn, work, and be present in a safe and secure environment. However, the possibility of a major incident of violence is a reality that cannot be over-looked. Everyone who spends any amount of time in an Ontario school on a regular basis needs to know how to protect themselves, and how to protect students, in the event of a major incident or threat of school violence.

Publicly funded schools in Ontario are committed to providing and maintaining a safe school environment. Much has been accomplished around the issue of safe schools since the introduction of the Provincial Model for a Local Police/School Board Protocol in 2000, and more recently with the passage of Bill 212, which amended the safe schools provisions of the *Education Act*, in February 2007. The Ministry of Education and school boards and police from across the province continue to work in partnership to create safe school environments, and to prepare plans to be used in the event of a major incident of school violence. Many boards have actively undertaken the process of the establishing lockdown plans with the support of their police service. However this has not previously been a ministry requirement, nor has there been a consistent approach across the province with respect to lockdown planning. The following policy should accompany the protocols already developed.

Purpose

Based on lockdown procedures that have already been established in many Ontario schools, the following policy is being provided to help elementary and secondary schools ensure their lockdown plans meet basic requirements, and to ensure a degree of consistency across the province. While much of what is provided will be termed "Effective Practices", there are two key elements which the Ontario Association of Chiefs of Police (OACP) is recommending as mandatory requirements by the Ministry of Education.⁵

Mandatory Requirements

1. All publicly funded school boards in Ontario must establish a lock down policy to ensure the development and implementation of individual school plans.
2. A minimum of two lockdown drills must occur each school year.

In developing lockdown plans, each elementary and secondary school should consider the following policy:

When to Lockdown/Terminology to be Used

Terminology is very important. Plans should clearly identify when "lockdown" versus other terminology is to be utilized. Terminology used to order a lockdown should be plain language, clear, and leave no room for misunderstanding as to what is expected. No secret passwords should be used.

5. The Ministry of Education and the Ministry of Community Safety and Correctional Services acknowledge the work of the Ontario Association of Chiefs of Police (OACP) Lockdown Procedure Working Group and thank the members and the OACP for their work in preparing these guidelines.

“Lockdown” should be used *only* when there is a major incident or threat of school violence within the school, or in relation to the school. The overuse or misuse of “lockdown” will result in staff/students becoming desensitized and not taking lockdowns seriously.

“Hold and Secure” should be used when it is desirable to secure the school due to an ongoing situation outside and not related to the school (e.g., if a bank robbery occurs near a school but not on school property). In this situation, the school continues to function normally, with the exterior doors being locked until such time as the situation near the school is resolved.

“Shelter in Place” should be used for an environmental or weather related situation, where it is necessary to keep all occupants within the school to protect them from an external situation. Examples may include chemical spills, blackouts, explosions, or extreme weather conditions.

Boards must use the above terminology in developing local plans, in an effort to ensure consistency across the province. This policy focuses primarily on “Lockdowns”.

Rationale

The use of common language across the province allows for easy integration when staff, students, and emergency service personnel are transferred from one jurisdiction to another.

Roles and Responsibilities

Clearly defined roles, responsibilities, and expectations are critical in emergency situations.

At a minimum, plans should include expectations with respect to staff, students, parents, and police. The lockdown policy should address issues such as accessibility and communications for students with special education needs.

Effective Practices

Principal – The principal is responsible for overall planning; the final content of the plan; scheduling drills; inviting police, fire, and emergency medical services (EMS) to participate in and beware of planning and drills; training students; and the overall safety of staff and students. In an actual incident (not a drill), the police are responsible for management of the threat and subsequent criminal investigation; however, the principal shall provide full cooperation with police.

Staff – School staff, and in particular administrators, have the overall responsibility for the training, safety, and well-being of students. Administrators during a violent incident have additional responsibilities in terms of working closely with police.

Students – Students have a responsibility to be familiar with the plan and to respond quickly to the direction of staff during a crisis situation. Any student with information on or prior knowledge of an individual or a potential situation that may result in a violent incident must come forward with that information as soon as possible. This is also the case during an incident.

Police – Police are responsible for responding to and investigating violent incidents. During a violent incident, police will assume command and control of the response and investigation but will liaise and work closely with school administration and other emergency services throughout the process.

Parents/Guardians – Parents and guardians must be informed of the existence of this plan and should reinforce with their children students’ responsibilities with respect to following directions during a crisis and disclosing any information they may have prior to or during a crisis situation.

Floor Plans

Accurate floor plans are a key component of lockdown plans and are important from both a planning and a response standpoint.

Effective Practices

Consideration should be given to colour coding floor plans using three colours, such as red, green, and blue. Red indicates danger areas of the school that cannot be locked down safely, with green identifying areas where staff and students are to proceed to safely lock down. Blue areas identify command post locations, which will be utilized by police depending on the nature of the incident.

Normally, the main office will be a command post location, with another area within the school identified as an alternate command post location. A third off-site command post location should be identified within the individual school plan in the event that neither on-site command post location is available.

Off-site evacuation locations should also be identified and included with copies of the floor plans.

Floor plans should be posted throughout the school, at least in every classroom and at every entry point to the school. In multi-level buildings, it is suggested that only the floor plans relevant to a specific level be posted on that level.

Hard copies of floor plans, and electronic copies, if possible, should be provided to police.

Rationale

It is vitally important that police have current, accurate information about the school layout and that this information be available in both electronic and hard copy formats in the event of computer malfunctions.

Identification of Buildings, Exterior Doors, Classrooms

To assist police in responding to a major incident or threat of violence, buildings, entrances, and all rooms within buildings need to be clearly identified.

Effective Practices

In situations where more than one building exists on school grounds, each building should be clearly identified on all sides of the building with a building identifier, such as a number. All portables shall be clearly identified as well.

All exterior doors shall be clearly identified, such as doors A, B, C, etc.

All rooms within the building should be clearly marked with room numbers.

Rationale

This information is essential to identify the location of buildings and identify safe access routes for responding emergency personnel.

Initiating Lockdown

Plans should emphasize the importance of locking down as quickly as possible. At the first indication of a major incident of school violence, notification must go to the main office and the lockdown must commence immediately.

Effective Practices

All staff (especially those working in the main office) should be trained that, when information is received in the office of a situation requiring a lockdown, whoever receives that information will immediately activate the school's public address (PA) system, inside and outside, announcing the lockdown. There should be no hesitation in announcing the lockdown, and the decision to call the lockdown should be made immediately by whoever receives the call to the office, and should not be delayed for the purpose of checking with administration before announcing a lockdown. Boards should consider both auditory (PA) and visual notification systems inside and outside the school to announce a lockdown. For the safety of hearing-impaired individuals and in situations where noise levels in open areas such as cafeterias, and outside the school, may prevent staff and students from hearing a PA announcement, consideration should be given to the use of strobe lights or other visual indicators, in addition to the PA system.

It is recommended that the actual wording announcing a lockdown be affixed on or near the microphone, so that it is clearly visible and can be ready by the person announcing the lockdown.

Rationale

In emergent stressful circumstances, even the most composed individuals may have difficulty remembering exact words. By pre-printing the announcement and practicing it, the person delivering the message can ensure that the content is delivered accurately.

Classroom/Other Secure Area – Procedures During Lockdown

Plans should provide detailed procedures to be used when locking down a classroom or other secure areas.

Effective Practices

It is recommended that, before locking a door, staff should gather everyone in the immediate vicinity into their classroom or other secure area, but only if it is safe to do so. Once inside a secure area, staff and students should:

- stay away from doors and windows;
- turn off lights;
- close blinds;
- be aware of sight lines;
- if there is a window in the classroom door, consider covering the window;
- take cover if available (get behind something solid);
- remain absolutely quiet;
- take attendance (to be done by teachers);
- Not use cell phones unless it is necessary to communicate regarding the incident. Cell phones should be shut off or put on vibrate.

Rationale

The goal is to make the classroom appear vacant.

Portables

Plans must address how to effectively and safely lock down a school portable.

Effective Practices

Plans must recognize unique issues with portables. Due to thin wall construction, it is recommended that desks be tipped onto their sides with desktops facing out, and all desks placed in a circle, with students/staff gathered within the circle, down on the floor below the top edge of the desk.

Rationale

The desktops will act as an additional barrier to a round from a firearm that may have penetrated a portable wall.

Washrooms: Procedures During Lockdown

Plans should address what staff/students should do if they are in a washroom when a lockdown is called.

Effective Practices

As washrooms cannot be locked, and therefore should be identified during planning as a danger (red) area in the event of a lockdown, students need to evacuate washrooms if at all possible and get to an area that can safely be locked down (green).

For elementary schools, it is recommended that plans designate adults who normally work in close proximity to student washrooms to check the washroom(s) prior to locking down themselves, if it is safe to do so. After gathering students in the immediate vicinity of their classroom door into their classroom, they would quickly check both male and female washrooms to which they have been assigned in the planning phase, and take any students found in the washrooms into their classrooms to lock down.

For secondary schools, it is recommended that training include an explanation to students that they are responsible for getting out of the washrooms immediately upon hearing a lockdown announced, and getting to the nearest classroom or other area that is identified as a safe (green) area.

As a last resort, staff or students trapped in a washroom should attempt to somehow secure the bathroom door, enter a stall, lock the door, and climb on top of the toilet.

Rationale

Plans need to indicate that staff and students should be moved from washrooms into classrooms but not if it means moving into immediate danger. In those instances, staff and students should remain in the washroom and attempt to make the washroom appear vacant.

Open Areas – Procedures During Lockdown

Plans should recognize that open areas, including cafeterias, libraries, and hallways, are the most vulnerable areas of a school, making them the most likely location for a shooting, and the most difficult areas to quickly and effectively secure.

Effective Practices

Considerable time and attention need to be given to open areas during the planning phase. All possible options should be considered to best address these highly vulnerable areas, including the possibility of evacuating to the exterior of the school. This may be the best option if these areas are adjacent to exterior walls and have doors leading to the outside. It is very important during staff and student training that everyone understand what to do and where to go in the event that a lockdown is called when they are in an open area.

Rationale

Consider having various options in the event that the first option is not available.

Child Care and Other Facility Occupants

As many schools have licensed child care centres or other tenants and community groups using school premises, those organizations or individuals must be taken into consideration at all stages.

Effective Practices

It is important that principals ensure the appropriate staff from organizations sharing facilities are included in the development and implementation of lockdown procedures and that these organizations participate in aspects of planning, training, and drills.

Rationale

Due to proximity issues, the need to be prepared is as important for other occupants as it is for staff and students of schools.

Outside of School Buildings When a Lockdown Is Called

Procedures must address where staff and students outside the school should go in the event of a lockdown. These procedures should also address how people who are outside the school building will know where the evacuation sites are located.

Effective Practices

In order to ensure that those who are outside school buildings are aware that the school is locking down, the PA system must be capable of being activated outside the school. Consideration should also be given to including an exterior visual indicator (e.g., strobe lights) that can be used to indicate that a lockdown has been called. Those who are outside the school when a lockdown is called shall not re-enter the school, but shall proceed immediately to predetermine off-site evacuation location(s). Once at the location, staff and students shall remain in that location until further advised by administration or police. Plans should include the taking of attendance at the off-site evacuation location(s). Neighbouring schools may not be the best option as off-site evacuation locations, as they too may lock down once they become aware of an incident at a nearby school.

Note: When a “Hold and Secure” situation occurs and staff and students are outside the building, they should re-enter the building prior to the exterior doors being locked.

Controlled Evacuation

In the event of a prolonged situation, or a situation where the threat has been contained (e.g., a barricaded individual), plans should include provisions for a controlled evacuation of the areas of the school not in the vicinity of the contained area.

Effective Practices

Police will make the decision as to whether a controlled evacuation of a school under lockdown is a viable option, and will direct the evacuation process. This will normally be done on a room-by-room basis, with evacuees being escorted by police to the evacuation location.

Fire Alarms

Plans should address the issue of how to deal with a fire alarm activation after a school has gone into lockdown.

Effective Practices

In the event that a fire alarm is pulled once a lockdown has been called, staff and students shall not respond as they normally would to a fire alarm, but shall remain locked down, if it is safe to do so. Staff and students must always be aware of other dangers such as fire, and be prepared to respond accordingly in order to ensure their own safety.

Rationale

There is a desire not to create a situation where staff and students run into danger when responding to a fire alarm. At the same time, staff and students should not ignore the fact that fire may occur intentionally or otherwise during a lockdown and that there is a need to respond to the most immediate threat.

Procedures to End a Lockdown

Plans should include how a lockdown will be terminated.

Effective Practices

Plans to conclude a lockdown will vary by location. Procedures may include a general announcement via the PA system by the principal, or a room-to-room visit from police/school administration, with some sort of an identification process, so that the occupants of a locked room know that whoever is giving them the all-clear is in fact authentic. Local plans should include procedures for ending lockdowns at off-site evacuation locations. In all cases where police have responded, plans should clearly indicate that the decision to end a lockdown shall be made only after approval of the on-scene police incident commander.

Rationale

There is a need to include the same level of authenticity to ending a lockdown as to initiating one.

Training

Plans should address initial and ongoing training of staff, students, and visitors to the school.

Effective Practices

Orientation for new teachers should include mandatory lockdown training. Schools should establish a method to conduct lockdown review training for all staff during each school year. Schools should consider assemblies to train secondary students on lockdown procedures. Due to the young age of some elementary students, it is suggested that classroom teachers be responsible for training students at the elementary level. Any training provided to students with special education needs should be consistent with the expectations outlined in their Individual Education Plans. Where possible, it is advantageous to have police partners present during training, and to assist with the training of staff and students. Information for parents may be presented in

newsletters, school or board websites, or an evening session on lockdown plans. Fire and EMS personnel should be invited to training sessions.

Rationale

People can be expected to respond properly under stressful and emergent circumstances when properly trained.

Drills

Fire drills have long been accepted as an important and effective tool in preparing staff and students for procedures to be followed in the event a fire breaks out in a school. Equally important is the practicing of lock-down drills in preparation for a major incident of school violence.

Mandatory Requirements (Ministry of Education)

Each school shall conduct a minimum of two lockdown drills during each school year.

Effective Practices

School personnel should work cooperatively with police partners on drills. The principal is responsible for setting the date of drills and overseeing the drill, with police support/assistance. Consider including fire and EMS personnel during drills, so they become familiar with lockdown plans. Staff, students, and parents should be given some warning of an impending drill. Procedures should include a plan to alert neighbouring schools of lockdown drills, especially if fire and EMS personnel have been invited to participate. A short debriefing should be included after all drills to identify areas for improvement. Many boards have established a tracking system to record drill dates, thereby ensuring accountability and compliance.

Rationale

In order for staff and students to respond properly, plans must be practiced to ensure complacency is avoided.

Media

Plans shall include provisions for dealing with media.

Effective Practices

Police are responsible for addressing media with respect to the criminal incident involved and police response to an incident. Principals/board personnel are responsible for dealing with media on issues of staff and student safety. It is strongly advised that media personnel from police and school boards share press releases prior to their release to the media, so that both police and school officials are aware of what the other is saying. A spirit of cooperation is highly recommended in terms of police and school officials working closely on media issues.

Rationale

Coordinated and consistent messaging from all partners is essential in maintaining public confidence.

Communication with Parents/Guardians/Community

Communication with parents, guardians, and the community in general is important so as to ensure a good understanding of lockdown procedures, without instilling fear.

Effective Practices

Consider sending a newsletter to each home at the beginning of the school year to inform parents of lockdown procedures and to encourage parents to reinforce with their children the importance of understanding the procedures and following staff direction.

Parents need to be informed of where they should proceed in the event of an actual incident involving a lockdown. Communication with parents around the importance of lockdowns is vital. Parents should be informed of what is expected should they arrive at school during a drill, or if they are present within the school when a lockdown is called.

In all instances of a lockdown that was not a drill, it is recommended that a communication to parents be sent home with each student at the conclusion of the school day or as soon as possible.

Parents should be encouraged to ensure that their contact information is kept up to date so they can easily be reached by staff in the event of an emergency.

Rationale

Parents need to see lockdown drills as essential elements to prevent injury, and good communication is required to eliminate fears and concerns.

Parents play a key role in ensuring students' cooperation and participation in drills.

School Recovery Following a Lockdown

Plans should include provisions to address the aftermath of a school lockdown.

Effective Practices

A debriefing should occur in all situations following a lockdown. The nature and severity of the incident will dictate who should be included in the debriefing.

In serious situations where injuries or loss of life occurs, the board's trauma response plan will normally be initiated.

In all cases, communication with parents is vital.

Plan Review

Each school plan, as well as the board plan, shall be thoroughly reviewed annually.

Effective Practices

A page should be included within the plan that allows for documentation of when the plan was reviewed and who reviewed it, along with a signature area. Where boards develop a web-based application to record when drills have been completed, a separate page could be created to allow for the recording on the website of the date the plan was reviewed annually.

**APPENDIX D: GUIDE TO OFFICERS FOR SECTION 146
 YOUTH CRIMINAL JUSTICE ACT STATEMENTS**

Guide to Officers for Section 146 – Youth Criminal Justice Act Statements

The Ontario court of Appeal has emphasized the importance of recording any statement of an accused person on video. This is even more important when contemplating charges against or taking the statement of a young person where the informational components of Section 146 must be explained to the young person **in language appropriate to the particular young person’s age and understanding**. The best way to demonstrate that you have tailored your explanation to the age and understanding of the particular young person is by way of video.

- It is imperative that the young person clearly understands everything that is being said and explained to him/her.
- It is insufficient to simply read the form to the young person and ask if he/she understands.
- An individualized, objective approach that takes into account the level of sophistication and other personal characteristics relevant to the young person’s understanding is required when conducting the interview.
- Prior to asking any of the questions set out in the statement form, you are required to acquire some insight into the level of understanding of the young person you are interviewing in order to determine the appropriate language to use in explaining their rights. It would be of evidentiary value to record this initial interaction with the youth while gauging their level of understanding.
- This requirement involves learning something about the young person’s level of education, language and vocabulary skills, ability to comprehend, and emotional state.
- This requirement can only be achieved by engaging the young person in conversation. Consideration should be given to the following non-exhaustive list of questions:
 - How old are you?
 - What grade are you in?
 - What school do you attend?
 - Do you have a learning disability?
 - Are you in a special education class?
 - Have you been arrested before?
 - Have you given a statement to a police office before?
- Once you have acquired the necessary insight into the young person’s level of understanding, you will be in a position to tailor your explanation of the Section 146 requirements to the capabilities of the particular young person you are interviewing.
- While you are not required to have the young person “explain back” their rights, in some instances, this may well demonstrate that your explanations were both appropriate and sufficient.
- A simple and appropriate way to determine whether the young person understands is to ask, “What does this mean to you in your own words?”

Statement of a Young Person
Youth Criminal Justice Act, Section 146

1. Statement Recording Method
 Audiotape (No. _____) Written DVD (No. _____) Videotape (No. _____)

Police Service: _____ Police Case ID: _____

Occurrence No.: _____

Date: _____ Location: _____ Start Time: _____ Time Completed: _____

Interviewing Officer(s): _____

Name of Young Person: _____ Date of Birth: _____

Address: _____

Name: Parent(s) Adult Relative Other Adult

Address: _____ Phone Number: _____

You are charged with:	You may be charge with:
-----------------------	-------------------------

2. Do you understand the charge(s):
Reply: _____

If at any time you do not understand anything, tell me and I will explain it to you. Do you understand?

Reply: _____

- 3a. **THIS SECTION APPLIES ONLY TO YOUTHS WHO ARE 14 YEARS OF AGE OR OLDER AT THE TIME OF THE ALLEGED OFFENCE AND THE OFFENCE IS 1ST OR 2ND DEGREE MURDER, ATTEMPT MURDER, MANSLAUGHTER, OR AGGRAVATED SEXUAL ASSAULT.**

As you are 14 years old, or older, and you are charged with _____, if you are found guilty, the Crown will ask the court to give you an adult sentence. The most severe adult sentence is life in prison. It is up to the court to decide whether you will be sentenced as a young person or an adult.

Not Applicable _____ (Officer's Initials) Warning Read: Yes

Do you understand? Yes No

3b. **THIS SECTION APPLIES TO YOUTHS WHO ARE 14 YEARS OF AGE OR OLDER AT THE TIME OF THE ALLEGED OFFENCE AND THE OFFENCE IS ONE FOR WHICH AN ADULT IS LIABLE TO IMPRISONMENT FOR MORE THAN TWO YEARS.**

As you are 14 years old, or older, if you are found guilty, the Crown may ask the court to give you an adult sentence. The most severe adult sentence is life in prison. It is up to the court to decide whether you will be sentenced as a young person or an adult.

Not Applicable _____ (Officer's Initials) Warning Read: Yes

Do you understand? Yes No

4a. You have the right to talk to a lawyer in private without delay. Do you understand?

Reply: _____

b. You can also get immediate legal advice from a free Legal Aid Lawyer by calling 1-800-561-2561 or 1-800-265-0451. Do you understand?

Reply: _____

c. If you are charged with an offence, you may apply to Ontario Legal Aid for legal assistance. Do you understand?

Reply: _____

d. You also have the right to speak, without delay and in private, to a parent, or in the absence of a parent, an adult relative, or in the absence of an adult relative, another appropriate adult whom you feel may assist you. Do you understand?

Reply: _____

e. If you make a statement to the police, the police must have the person(s) you spoke with here while you make a statement, unless you do not want them or any one of them here. Do you understand?

Reply: _____

f. Do you want to talk to a lawyer?

Reply: _____

g. Do you want to talk to one or both of your parents?

Reply: _____

h. If your parent(s) are not available, do you want to talk to an adult relative?

Reply: _____

i. If an adult relative is not available, do you want to talk to another appropriate adult?

Reply: _____

7. **CAUTION**

You do not have to say anything about the charge(s) unless you want to.

Do you understand?

Reply: _____

I also have to tell you that whatever you do say will be recorded in writing or on audio or video and may be given in evidence against you in court.

Do you understand?

Reply: _____

8. **SECONDARY CAUTION**

If you have spoken to any other police officer or if anyone else has spoken to you in connection with this matter, I want it clearly understood that I do not want to influence you in make a statement.

Do you understand?

Reply: _____

You are reminded that you do not have to say anything about this charge unless you want to. Do you understand?

Reply: _____

Do you wish to make a statement?

Reply: _____

Signature of Young Person: _____ Time Completed: _____

Witnesses:

(1) _____ Signature: _____

(2) _____ Signature: _____

**APPENDIX E: BOMB THREAT
PROVINCIAL POLICY FOR DEVELOPING AND MAINTAINING
BOMB THREAT PROCEDURES FOR ELEMENTARY AND
SECONDARY SCHOOLS IN ONTARIO**

Introduction

Staff, students, and visitors in Ontario’s schools have the right to learn, work, and be present in a safe and secure environment. To enhance safety and security, it is important that schools have plans for responding to bomb threats. According to the RCMP, the overwhelming majority of reported bomb threats are unfounded, but some are not.⁷ Care must be taken, therefore, to deal with each incident calmly and consistently. Anyone who spends time in an Ontario school on a regular basis needs to know how to protect themselves, and how to protect students, in the event of a bomb threat.

The Ministry of Education, school boards, and police services from across the province continue to work in partnership to create safe school environments. This work includes planning and preparation in the event that bomb threat is received, an explosive device is discovered, or an explosives incident takes place.

Many school boards have actively undertaken the process of establishing bomb threat response plans, with the support of their police services. However, until recently, such plans have not been a ministry requirement, nor has there been a consistent approach across the province with respect to bomb threat planning and explosives incident response. Plans and procedures reflecting the following policy must now be included in the school’s Emergency and Crisis Response Plan (see section 21 of this document), which must be appended to the protocols already developed by school boards and police services.

Given the dynamic, complex, and flexible nature of such incidents, continuous communication, assessment, and coordination by first responders and school administrators are of paramount importance in ensuring an effective response.

Purpose

The following policy is being provided to help elementary and secondary schools ensure that their bomb threat plans meet basic requirements, and to ensure an acceptable level of consistency across the province. Using these guidelines can help school staff and emergency services personnel work together to deal with bomb threat situations quickly and cautiously.

Mandatory Requirements

While much of what is provided below is termed “Effective Practices”, the Ministry of Education, on the recommendation of the Ontario Association of Chiefs of Police, specifies two mandatory requirements, as follows:

1. All publicly funded school boards in Ontario must establish a bomb threat response policy to ensure the development and implementation of individual school plans.
2. Each board must ensure that its staff, students, and other partners are aware of their obligations/responsibilities within the individual school plans.

7. Canadian Bomb Data Centre “Developing a response Plan”

In developing bomb threat response plans, each elementary and secondary school should be guided by the following policy.

Roles and Responsibilities

Clearly defined roles and responsibilities are critical in emergency situations. At a minimum, plans should include expectations with respect to staff, students, parents, and police.

Effective Practices

Principal – The principal is responsible for the overall development and final content of the individual school plan. The principal is also responsible for inviting police, fire, and emergency medical services (EMS) to participate in plan development and for making them aware of planning and drills; for the training of staff and students; and for the overall safety of staff and students. The principal (and, it is understood, his or her designate) must be completely familiar with the school's bomb threat plan and with the scope of the authority vested in, and the responsibilities associated with, the principal's position as defined in the plan.

During the initial stages of a bomb threat, the principal will be the authority responsible for the initial assessment and related decisions, including those regarding visual scans and evacuations. For ongoing incidents, the police are responsible for management of the threat and any subsequent criminal investigation. However, the principal will cooperate fully with police and strive to ensure that all staff and students do the same. During an incident, after the principal has been relocated to a place of safety, he or she should continue to exercise his or her duties, to the extent possible, in support of the emergency responders' management of the situation.

Staff – School staff, and in particular administrators, have the overall responsibility for the training, safety, and well-being of students. During a bomb threat incident, administrators also have the responsibility of working closely with police.

Students – Students have a responsibility to be familiar with the plan to respond quickly to the direction of staff during a bomb threat or explosives incident. Any student with information on or prior knowledge of anyone or anything that may be associated with or result in a bomb threat, the placement of a suspicious package/device, or an explosives incident must come forward with that information as soon as possible.

Parents/Guardians – Parents and guardians must be informed of the existence of this plan. Parents can be encouraged to reinforce with their children the responsibilities students have with respect to following directions during an incident and disclosing any information they may have prior to or during an incident.

Police – Police are responsible for responding to and investigating bomb threats and explosives incidents. During any such incident, police will assume command and control of the response and investigation but will liaise and work closely with the principal and other emergency services throughout the process. The police must be notified of all bomb threat incidents, regardless of other actions taken by the schools. The criminal investigation of bomb threats by the police may lead to the apprehension of persons responsible. The investigation itself may also serve as a deterrent for future "copycat" incidents.

Emergency Medical Services (EMS) – EMS personnel will provide urgent medical care in the event of an explosives incident.

Fire Department – The fire department can be present during bomb threat incidents in the event that fire suppression operations are needed, and will provide fire suppression and rescue operations in explosives incidents. Further, the fire department (Assistants to the Fire Marshal) must report all explosions to the Office of the Fire Marshal and Emergency Management (OFMEM).⁸ The OFMEM provides a 24-hour response for all explosions. The OFMEM is notified immediately of all fatal fire, explosions, and incidents causing injuries so that an OFMEM investigator can be assigned.

Floor Plans

Accurate, up-to-date plans are a key component of bomb threat and explosives incident response plans.

Effective Practices

Floor plans should be posted throughout the school, at least in every classroom and at every entry point to the school. In multi-level buildings, it is suggested that only the floor plans relevant to a specific level be posted on that level.

Floor plans should clearly identify entrances and exits as well as routes that staff and students are to take during an evacuation. Command post locations and off-site evacuation locations should *not* be identified on posted or publicly circulated copies of the floor plans.

Floor plans should be available to all emergency service responders who may be involved in a search of the premises when they arrive on the scene.

Police should be provided with both hard copies and electronic copies of floor plans.

Rationale

It is vitally important that police have current, accurate information about the school layout and evacuation locations and that this information be available in electronic format as well as in hard copies that can be used in the event of computer malfunctions.

Identification of Rooms and Buildings, and Facilitation of Access

To assist police in responding to an incident, it is important to identify buildings, entrances, and all rooms within buildings and to ensure that facility master keys are up to date.

Effective Practices

In situations where more than one building exists on school grounds, each building should be clearly identified, on all sides, with a building identifier, such as a number. All portables should be clearly identified as well. All exterior doors should be clearly identified – for example, as Doors, A, B, C, and so on. All rooms within the building should be clearly marked with room numbers. This site plan should be consistent with the fire safety plan that school boards are required to provide to the fire department for emergency fire response.

In addition, it is important to ensure that facility master keys are current and available for emergency service responders who may be involved in a search of the premises. It is particularly

important that those elementary schools that have opted to lock their doors during the school day have a plan for making keys available to emergency services personnel.

8. See “Fire Marshal’s Directive: 2015-002 – Reporting of Fires and Explosions Requiring Investigation” at www.mcscs.jus.gov.on.ca/english/FireMarshal/Legislation/FireMarshalsDirectives/FM_directives.html

Rationale

This preparation is vital for responding emergency personnel, as it allows them to identify the location of rooms and buildings that have been reported as potentially unsafe, and to identify safe access and/or evacuation routes. Ensuring that responders have access to all rooms and buildings for searches or other purposes is also critical.

Command Post

Each plan should designate primary, secondary, and off-site command post locations.

Effective Practices

Normally, the main office will be the primary command post location, with another area within the school identified as an alternate (secondary) command post location. The individual school plan should identify a third off-site command post location, to be used in the event that neither on-site command post location is available.

Information regarding command post locations should *not* be publicly circulated. This will help to ensure that the command posts do not become locations for the placement of explosive packages/devices or for secondary incidents.

Rationale

Having a dedicated command post provides a central location from which officials and emergency services can evaluate incidents and control the emergency response.

Facility Assessment and Physical Security

The careful assessment of a school facility and the development and implementation of sound security and planning measures may reduce the potential for bomb threats and explosives incidents. Local police services can be useful resource when such assessments are conducted.

Effective Practices

Each school’s bomb threat plan should detail proactive measures in a number of areas. In developing their plans, schools should:

- determine likely locations in and around the school for the placement of suspicious packages/devices;
- provide for controlled access to critical areas of all facilities (e.g., the main office, electrical rooms, mechanical rooms);
- consider the use of electronic surveillance or closed-circuit television (CCTV), and, if such surveillance is adopted, post signage regarding its use;
- address ways to ensure that emergency exits are kept clear from obstructions;
- provide for the regular inspection of first aid and firefighting equipment;
- include, and provide for the regular review of, document-safeguarding procedures;
- assess whether interior/exterior and auxiliary lighting is adequate;
- develop an inspection procedure for all incoming packages; and
- consider other potential threats.

Rationale

The development and implementation of proactive strategies may deter bomb threat incidents and enhance/expedite agency response to actual incidents.

Bomb Threat Intake Procedures

According to the RCMP, most bomb threats are made over the telephone by anonymous callers.⁹ Some are received in the mail or by other means, but these methods are rare. In each case, the communication should be taken seriously. School staff in positions that make them most likely to receive bomb threats should be identified in school plans and should receive training in proper procedures.

Effective Practices

The person receiving a bomb threat by telephone should try to keep the caller on the line as long as possible and should record precise details of the call, especially the exact wording of the threat. However, the person should end the call if staying on the line puts them in harm's way or prevents them from initiating response procedures.

It is recommended that a checklist be made available to staff members who are most likely to receive a bomb threat. A sample "Bomb Threat Telephone Procedures" list is available through the RCMP Canadian Bomb Data Centre, at www.rcmp-grc.gc.ca/tops-opst/cbdc-ccdb/telephone-procedure.pdf

Staff should be trained to record precise information during a bomb threat call, including the following:

- the exact wording of threat;
- the time and date of the call;
- the phone number or line on which the call was received;
- the caller's number, if shown on call display;
- whether the caller is male or female and the caller's approximate age;
- the exact location of the explosive device and the time of detonation, if that information is revealed by the caller;
- the type of explosive device and what it looks like (e.g., pipe bomb, truck bomb), if that information is revealed by the caller;
- any unique speech characteristics of the caller;
- any background noises(e.g., traffic, music, laughter);
- the condition or emotional state of the caller (e.g., whether the caller seems to be intoxicated, excited, angry);
- the caller's name, if that information is revealed by the caller;
- whether the call taker recognizes the voice of the caller; and
- the time when the caller hangs up.

If possible, the call taker should attempt to notify the school principal during the telephone call. If not, the principal should be notified immediately after the call. All pertinent details of the call should immediately be relayed to the principal and documented.

Following the call, the call taker should immediately "lock-in" the phone number of the received call, if this feature is available through the local telephone provider. It is suggested that the "lock-in" process be posted at all phones that can receive incoming calls.

9. Canadian Bomb Data Centre “Developing a Response Plan”
www.rcmp-grc.gc.ca/tops-opst/cbdc-ccdb/resp-interv-plan-eng.htm

School plans should address who will contact the local police service and fire department and provide details about the bomb threat. It is recommended that, unless there are exigent circumstances, this should be done after the school principal has been provided with available information and after both the initial assessment (see the next section) and the decision whether or not to evacuate have been made.

With the proliferation of social networking and school use of internet sites for external communication, plans should also address bomb threats that are received through electronic means. These procedures should address bomb threats received via external email, posted on electronic bulletin boards, or received by a staff member or student via text or other means. Procedures should include how to immediately isolate the received message, remove it from any external posting, and communicate the information to the school principal during and after school hours, including on weekends and holidays.

Rationale

The overall safety of all staff and students can be maximized – and the disruption of activities and atmosphere of anxiety minimized – if the employee who receives the bomb threat knows what procedures to follow.

Initial Assessment

One of the most challenging aspects of a bomb threat incident is the initial assessment of the threat and the accompanying decisions about whether to authorize a visual scan and/or an evacuation. Many bomb threats are hoaxes intended to disrupt school exams or daily classes. Hasty decisions to evacuate or to initiate a high-profile emergency response may encourage further incidents. However, the safety of students and staff is paramount during a bomb threat and therefore every threat must be assessed individually, based on known information.

These guidelines cannot prescribe when to conduct a safe, visual scan and/or when to evacuate during a bomb threat. Rather, presented below are areas of concern that should be assessed during an incident. Individual school plans should address these areas and expand on them as necessary, if other concerns are identified based on local circumstances.

Decisions regarding scans and evacuation are made after a thorough assessment of known information and are continually re-evaluated throughout a bomb threat incident.

Effective Practices

Plans should identify in detail the information that needs to be immediately assessed by the principal during the initial stages of a bomb threat. The initial assessment should be based on the following:

- the information recorded on the bomb threat checklist (see “Bomb Threat Intake Procedures”, above);
- any other notes made by the call taker;
- activities taking place in the school at the time of the threat (e.g., examinations);
- whether a specific location for a bomb was stated or the entire school was threatened;
- whether the threat was specific to the current time or a future time/date;
- any recent negative incidents involving a student, staff member, or anyone else connected with the school;

- whether there have been any other recent bomb threats or hoaxes;
- the likelihood of anyone having the opportunity to place a bomb in the stated location; and
- whether a suspicious device/package has been located.

Once the initial assessment has taken place and decisions have been made regarding a visual scan and/or evacuation, the police must be notified. Initial contact with the police may be made *while* the principal is conducting the assessment and making decisions. Although it is important to provide police with information beyond simply that a bomb threat has been received, initial contact should not be delayed.

The fire department should also be notified of the bomb threat. A predesignated phone number should be used, rather than 911, which is restricted to emergency calls to the police. When notifying the fire department, it is important to clarify that no explosion has occurred and that the police have been informed.

School plans should specify who will contact the police and fire department when a bomb threat is received. Police should be contacted in every incident of a “bomb threat”, regardless of whether a decision has been made to conduct a partial or full evacuation, or not to evacuate.

Plans should include a list of information to be provided to the police, including the following:

- the information recorded on the bomb threat checklist (see “Bomb Threat Intake Procedures”, above);
- activities taking place in the school at the time of the threat (e.g., examinations);
- the status of any evacuation that may be underway;
- the status of any safe, visual scan that may be underway; and
- the in-school contact person for the police, once they are on the scene.

Plans should include procedures for ongoing assessment during an incident. Regardless of whether a partial or full evacuation is ongoing or no evacuation has been directed, whether a scan is underway, or whether police and fire department are responding to the incident, plans should include procedures for the continual assessment of the situation and for relaying further information to update the principal. Specifically, the principal needs to be informed:

- if a suspicious package/device is located;
- of any interference with any type of evacuation that is underway; and
- if an explosives incident occurs.

Rationale

Having a comprehensive list of items to be assessed when a bomb threat is received provides decision makers with the best opportunity to evaluate and respond to the bomb threat, and to continually assess any additional information and take appropriate action.

Visual Scans

Every school’s plan must detail procedures for safe, visual scans conducted by designated staff. When a threat has been made, a safe, visual scan can provide critical information to support decision making during the initial assessment.

Effective Practices

Designating Persons to Conduct Visual Scans

As part of the initial assessment, the principal may decide that a safe, visual scan of the school and/or classroom for suspicious devices or packages should be conducted. Every school plan should identify the staff member(s) who will conduct this visual inspection. It is imperative that scans be conducted by individuals who have detailed knowledge of the facilities and are familiar with students and fellow staff. Such individuals know what does and does not belong within the school and therefore are best suited to recognize suspicious devices/packages.

Responsibilities related to safe, visual scans are to be addressed as part of the planning process and not at the time of an actual incident.

Procedures

Principals should receive training to enable them to make sound decisions as to whether, and when, a safe, visual scan is appropriate. Local police services may be of assistance. The staff member(s) designated to conduct scans should be given basic information about conducting safe, visual scans.

Under no circumstances should a staff member conducting a visual scan touch a suspicious device or package. If a suspicious package or device is detected, the area must immediately be evacuated of staff and students and the package or device reported to the principal.

For threats to the entire facility, plans should identify and prioritize areas to be visually inspected. These areas include:

- the building exterior and parking lots;
- entrances;
- large gathering areas within the school (e.g., cafeterias, auditoriums);
- hallways, stairways, and elevators;
- washrooms;
- classrooms, the main office, and staff rooms; and
- service and mechanical rooms and spaces.

When prioritizing areas to be searched, consideration should be given to accessibility by a potential suspect, evacuation routes, evacuation locations, command posts, and staging areas for emergency services personnel. Local police services will be able to provide assistance with prioritizing the areas to be visually inspected.

School plans should identify a process for documenting areas that have been inspected.

Rationale

Having established plans for inspection and designated staff to conduct safe, visual scans helps ensure that scans are conducted in a timely, systematic, and thorough manner.

Procedures Following the Location of a Suspicious Device/Package

Every school plan must include procedures regarding actions to be taken if an explosive device or a suspicious device/package is located any time before emergency service responders arrive on the scene.

Effective Practices

When a suspicious package/device is located, appropriate procedures include the following:

- isolation/containment of the device/package, ensuring that it is not touched;
- immediate communication of the discovery to the principal and to police and the fire department; and
- immediate re-evaluation of any evacuation decisions in light of the discovery.

Regardless of whether the package/device has been delivered to the school or located during a visual scan or under other circumstances, it is imperative that the object is not touched or moved and that is immediately contained. This direction applies even if the package had already been moved prior to being deemed suspicious.

The school principal should be notified immediately of the discovery of a suspicious package/device and of any action taken to that point.

Police should be notified or updated when confirmation is received regarding the precise location of the package/device. Once the police have been notified, fire department and EMS personnel should be contacted so that they will be nearby or on the scene in stand-by mode.

The school principal will work with emergency services personnel, which may include first responders, investigators, and bomb technicians, to evaluate the need to relocate evacuees and/or command posts.

Legitimate property may have been left behind in an evacuated area, so attempts should be made to establish ownership of any suspicious device/package. This should be done by making inquiries, not by handling the package/device.

Rationale

Ensuring that staff and students are acutely aware that suspicious devices/packages must not be moved limits that possibility of an explosives incident. Containing and reporting a suspicious package/device, and immediately re-evaluating evacuation, notification, and search decisions, depending on the information received, reduces the risk of harm to staff and students.

Evacuation Procedures

Every school plan must detail procedures to facilitate a safe and effective partial or full evacuation of the facility. Plans should also detail the process to end any partial or full evacuation.

Although bomb threat drills and fire drills will involve evacuation plans that are similar in many ways, the two plans should be treated and practiced separately.

The decision to direct an evacuation should be made only after careful consideration of the risks. Because the most likely location for a bomb is in common area, evacuation through common areas can increase risk.

Effective Practices

The notification process for both a partial and a full evacuation of each facility is to be included in each school plan. Staff should be aware of who is authorized to order evacuation of and re-entry to the facility. The notice to evacuate must be unambiguous, and the evacuation location(s) must be clearly understood. Fire alarms should not be used to signal an evacuation in response to a

bomb threat, as this may cause confusion regarding the nature of the emergency. When announcing an evacuation, it is advisable to use clear, concise language rather than codes. Evacuations should be conducted in a quiet and systematic way, giving consideration to the threat location and students and staff most at risk.

Staff and students should be directed to quietly leave the location, proceed in a calm and orderly manner, and assemble in the designated evacuation location(s). Evacuees should be directed not to return to their lockers but to bring with them any personal belongings (e.g., bags, lunches, laptops) that are in the immediate area, if it is safe to do so. Removing these articles will assist the police with any subsequent search of the area, by decreasing the number of suspicious packages/devices.

Plans should address practices for ensuring that evacuation routes and alternate routes are clear from obstructions. Designated stairwells that are identified in the school plan should be used. Provisions should be in place to assist with the evacuation of physically challenged staff and students. Because of the risk of power failure, elevators should never be used for evacuation. If, however, stand-by power is provided to an elevator, consideration should be given to using that elevator for the evacuation of physically challenged staff and students.

Evacuation routes and locations should be inspected prior to, or immediately upon, the arrival of evacuees to ensure that a secondary explosive device has not been placed in these areas. At the evacuation location, attendance should be taken and all students and staff accounted for. The command post is to be notified when the evacuation is complete. Students and staff should be directed to remain in the evacuation location and to refrain from the use of electronic communication devices.

Plans should include provisions for the care, control, and well-being of evacuated persons. The use of school buses should be considered to shelter staff and students during inclement weather.

Rationale

Clear and concise evacuation plans that are understood by staff and students help to ensure the safety of those being evacuated. Lack of planning may lead to panic and increase the potential risk to personal safety during an unorganized evacuation.

Re-entry Procedures

Each school plan must include procedures for ending evacuations and ensuring safe re-entry into the school. Plans should clearly indicate that the decision to end a partial or full evacuation shall be made by the school principal in consultation with the on-scene police incident commander.

Effective Practices

Plans should include procedures for announcing the end of a partial or full evacuation. Such procedures may vary by facility and depending on whether evacuees are at off-site locations. Plans may include a general announcement via the public address (PA) system by a designated authority, or may include a room-to-room visit from police and/or the principal, with some sort of identification process, so that evacuees know that whoever is giving them the all-clear is authorized to do so.

Rationale

There is a need to bring the same level of authority to ending a partial or full evacuation as to initiating one.

Procedures Following an Explosives Incident

Every plan must include procedures for dealing with an explosives incident that occurs within a school building or in the school yard. Explosives incidents may occur without warning or after a bomb threat has been received. Explosives incidents do not always require a full evacuation of the school. Under certain circumstances, and if it is determined that there is no fire, a partial evacuation of the building may be appropriate.

Plans for responding to an explosives incident should address the following:

- criteria for full or partial evacuation;
- considerations related to the provision of emergency care;
- considerations related to the notification of emergency services; and
- containment of the explosion scene.

Effective Practices

When an explosives incident occurs, the school principal should be notified immediately and informed of any action taken. Personnel designated in the plan should report to the command post location in order to carry out their duties, many of which will be taking place simultaneously.

The following items are considerations to be addressed as part of the response to an explosives incident and in plan development.

Evacuation Considerations

The area around the explosion scene should be immediately evacuated, and evacuees should be directed to a designated evacuation location.

Emergency first aid should be provided to any persons injured in the explosives incident. Information regarding injuries should be communicated to the command post. Attendance should be taken and a list of any missing staff or students should be communicated to the command post.

It should be determined whether an evacuation of the entire site is necessary, or whether a partial evacuation of the area around the explosives incident will suffice. A fire resulting from the incident can make staying in the building unsafe, so partial evacuation should be considered only if it is certain that no fire has started. The school principal shall work with emergency services personnel to evaluate the need to relocate evacuees and/or command posts.

As staff and students are evacuating, they should continue to follow proper evacuation procedures (see p. 56). They should be asked to keep their eyes open for unusual packages, and, where possible, staff who are designated to conduct visual scans (see p.54) should visually inspect the areas that are being evacuated and areas along the evacuation route. If a suspicious package/device is noticed, it should be reported to emergency responders immediately on arrival at the evacuation location.

Emergency Services Notification

The fire department, emergency medical services (EMS), and police should be called immediately. An explosives incident can often result in the spread of fire and smoke.

Containment of the Explosion Scene

Once the area has been evacuated, staff and students should not re-enter an explosion scene. Not only may additional packages/devices be present, but the area will be subject to a substantial crime scene investigation and therefore should not be disturbed.

Communications

Having primary and secondary communication systems allows for accurate transmission of information between officials, staff, students, and emergency services personnel.

Effective Practices

Plans should specify designated primary and secondary communication systems, with provisions for internal communication with staff and students and external communication with emergency services personnel. The external communication plan should have provisions for communication with parents/other stakeholders during extended incidents and after incidents.

In most cases, intercoms and telephones will be used as primary communication systems. Radios and walk-talkies are *not* recommended as secondary systems, given that radio signals may detonate sensitive explosive devices. Runners, loud hailers, or other methods should be used for secondary communication systems. Local police services should be consulted regarding the use of cell phones, and staff and student should be educated about how such devices can be used in the event of an incident.

The protocol should emphasize the importance of reminding all responders of the danger of using radio communication in a bomb threat situation.

Rationale

Accurate and timely transmission of pertinent information is imperative for making informed decisions during an incident and for ensuring the safety of all persons during evacuations or an emergency response.

Child Care and Other Facility Occupants

Many schools have licensed child care centres and/or other tenants and community groups using school premises, sometimes outside regular school hours. These organizations or individuals must be taken into consideration when planning and when conducting training and drills, and they must be informed of the need to follow school board procedures.

Effective Practices

It is important that principals make best efforts to ensure that the appropriate staff from organizations who share school facilities are included in the development and implementation of procedures and that these organizations participate, whenever possible, in relevant aspects of planning, training, and drills.

Rationale

Due to proximity issues, the need to be prepared is as important for other occupants as it is for staff and students of schools. During planning, consideration should be given to after-school programs, night school, sports programs, and so on.

Outside of School Buildings

Procedures must address the notification of, and the actions to be taken by, staff and students who are outside the school building(s) when a bomb threat is received, a suspicious device/package is located, or an explosives incident occurs. Staff and students need to be aware of where they should go in the event of such an incident.

Effective Practices

Staff and students who are outside the school buildings should never re-enter the school unless they are in close proximity to an identified threat location and have been directed to do so.

Although notification of those who are outside the school building(s) is important, the use of an exterior PA system may not be the best option, as it may cause panic and/or bring unnecessary attention from members of the community. The use of a personal messenger to identify the off-site evacuation location(s) is recommended. Once at the location, staff and students shall remain at that location until further advised by the principal or police. Plans should include the taking of attendance at the off-site evacuation location(s).

Training

Plans should address initial and ongoing training of all staff as well as students and, where possible, visitors to the school.

Mandatory Requirement (Ministry of Education)

Each board must ensure that its staff, students, and other stakeholders are aware of their obligations/responsibilities within the individual school plans.

Effective Practices

Orientation for new staff should include mandatory training in bomb threat responses. Schools should establish a method to conduct bomb threat review training for all staff during each school year. Such training should be conducted as early in the school year as possible.

Schools should consider holding assemblies to train secondary students on bomb threat procedures as well as explosives incident procedures, and related evacuation plans. Due to the young age of some elementary students, it is suggested that classroom teachers be responsible for training students at the elementary level. Any training provided to students with special education needs should be consistent with the expectations and accommodations outlined in their Individual Education Plans.

In many situations, it may be impractical to try to provide training to school visitors. In other cases, however, when the visitor is in the school over an extended period, as in the case of a service provider, it is necessary to inform the visitor of the school's bomb threat procedures and explosives incident evacuation procedures.

Where possible it is advantageous to have police partners present to assist with the training of staff and students. Fire department and EMS personnel should also be invited to training sessions.

Rationale

People can be expected to respond properly under stressful and emergent circumstances when properly trained.

Drills

Fire drills have long been accepted as an important and effective tool in preparing staff and students for procedures to be followed in the event a fire breaks out in a school. As with fire drills, drills and education related to evacuation following a bomb threat or explosives incident can help maintain order in the event of an incident. Such drills can be held as part of a schools' emergency evacuation drills.

Effective Practices

School personnel should work cooperatively with police partners on drills. The principal is responsible for setting the date of drills and overseeing the drill, with police support/assistance. Schools should consider including fire department and EMS personnel during drills, so they become familiar with the school's bomb threat procedures. Staff, students, child care workers, and community partners or other visitors who may be in the school should be given some warning of an impending drill. When developing plans, consideration should be given as to whether or not to notify parents in advance. Plans should include procedures for alerting neighbouring schools of drills, especially if fire and EMS personnel have been invited to participate.

A short debriefing should be held after all drills to identify areas for improvement. Many boards have established a tracking system to record drill dates.

Rationale

When emergency plans are practiced regularly through drills, staff and students are aware of how to respond properly in a potential emergency and their safety is enhanced.

Media

Plans shall include provisions for dealing with media in the event of an incident.

Effective Practices

Police are responsible for addressing media with respect to any criminal incident and the police response to the incident. Principals/board personnel are responsible for dealing with media on issues pertaining to staff and student safety. It is strongly advised that media personnel from the police department, school boards, the fire department, and EMS share press releases prior to their release to the media, so that all officials are aware of what the other agencies are saying. A spirit of cooperation is highly recommended, and school officials, police, and other services are encouraged to work closely with each other on media issues.

Rationale

Coordinated and consistent messaging from all partners is essential in maintaining public confidence.

Communication with Parents/Guardians and the Community

Communication with parents, guardians, and the community in general is important so as to ensure a good understanding of bomb threat and explosives incident procedures, without instilling fear.

Effective Practices

Consider sending a newsletter to each home at the beginning of the school year to inform parents of bomb threat and explosives incident procedures and to encourage parents to reinforce with their children the importance of understanding the procedures and following staff direction.

Parents need to be informed of where they should proceed in the event of an actual incident. Given the dynamic, complex, and fluid nature of these incidents, communication with parents around the importance of procedures is vital. Information for parents may be presented in newsletters, on school or board websites, or at an evening session on bomb threat plans. Parents should be informed of what is expected should they arrive at school during a drill, or if they are present within the school when an evacuation is called.

In all incidents resulting in an evacuation that was not a drill, it is recommended that a communication to parents be sent home with each student at the conclusion of the school day or as soon as possible thereafter.

Parents should be encouraged to ensure that their contact information is kept up to date so they can easily be reached by staff in the event of an emergency.

Rationale

Parents need to know that plans are in place to respond to bomb threats and explosives incidents. Good communication is required to eliminate fears and concerns. Parents play a key role in ensuring students' cooperation and participation in drills.

School Recovery following an Incident

Plans should include provisions related to recovery after an incident involving a bomb threat, a suspicious package/device, and an explosion.

Effective Practices

Recovery procedures will differ significantly, depending on the nature of the incident. A debriefing should occur in some situations following the receipt of a bomb threat or following the location of a suspicious device/package. A debriefing should always take place following an explosives incident. The nature and severity of the incident will dictate who should be included in the debriefing.

When a bomb threat or a suspicious package/device is found to be a hoax, controlled communication, including communication relating to any debriefing conducted to evaluate actions, is important so that further incidents are not encouraged.

In serious situations following the location of a suspicious package/device or an explosives incident, the board's trauma response plan will normally be initiated. In all cases, communication with students and parents is vital.

Plan Review

Each school plan, as well as the board plan, shall be thoroughly reviewed annually.

Effective Practices

A page should be included within the plan that allows for documentation of when the plan was reviewed and who reviewed it, along with a signature area. Where boards develop a web-based

application to record when drills have been completed, a separate page could be created to allow for the recording on the website of the date each year when the plan was reviewed.

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