

**ONTARIO NORTH EAST REGION POLICE AND SCHOOL PROTOCOL**

**2016**

## Contents


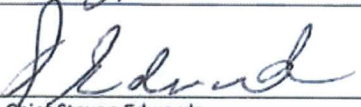
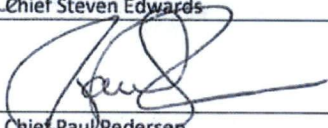



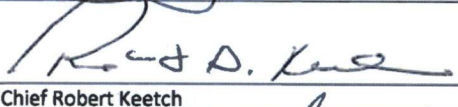
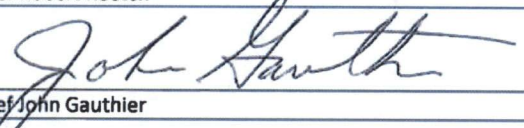

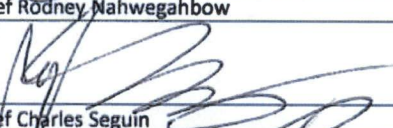
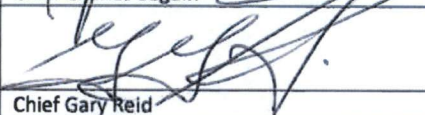
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| Contents .....   | 2   |
| 1. Signatories to the Protocol .....   | 3   |
| 2. Statement of Principles .....   | 7   |
| 3. Introduction .....  | 7   |
| 4. Role and Mandate of Police Services .....   | 9   |
| 5. Role and Mandate of School Boards .....   | 10  |
| 6. Definitions / Explanations of Terms .....   | 11  |
| 7. A Coordinated Approach to Violence Prevention.....  | 11  |
| 8. Occurrences Requiring Police Involvement or Response .....  | 113 |
| 9. Information Sharing and Disclosure .....  | 14  |
| 10. School Procedures for Reporting to Police.....   | 18  |
| 11. Initial Police Contact .....   | 19  |
| 12. School and Police Investigation of Incidents .....   | 19  |
| 13. Police Interviews of Students .....  | 24  |
| 14. Reporting of Children Suspected to be in Need of Protection .....  | 277 |
| 15. Investigation Involving Students with Special Education Needs .....  | 277 |
| 16. Occurrences Involving Children Under 12 .....  | 28  |
| 17. School Board Communication Strategy.....   | 29  |
| 18. Protocol Review Process .....  | 29  |
| 19. Physical Safety Issues .....   | 29  |
| 20. Risk Assessment Services .....   | 30  |
| 21. Emergency Planning and Threats to School Safety .....  | 30  |
| 22. Training .....   | 31  |
| Appendix A: Glossary.....  | 322 |
| Appendix B: Provincial Policy for Developing and Maintaining Lockdown Procedures for Elementary and Secondary Schools .....              | 388 |
| Appendix C: Provincial Police for Developing and Maintaining Bomb Threat Procedures for Elementary and Secondary Schools in Ontario..... | 48  |
| Appendix D: Guide for Officers for Section 146 Youth Criminal Justice Act .....  | 64  |
| Appendix E: Violent Incident Emergency Response Plan .....   | 68  |

## 1. Signatories to the Protocol

|    | Police Services                                    | School Boards / Authorities                                  |
|----|--|--|
| 1  | Anishinabek Police Service                         | Algoma District School Board                                 |
| 2  | Espanola Police Service                            | Conseil scolaire catholique du district des Grandes Rivières |
| 3  | Greater Sudbury Police Service                     | Conseil scolaire catholique Franco-Nord                      |
| 4  | Nishnawbe-Aski Police Service                      | Conseil scolaire du district catholique du Nouvel Ontario    |
| 5  | North Bay Police Service                           | Conseil scolaire public du Grand Nord de l'Ontario           |
| 6  | Ontario Provincial Police, Northeast Region        | Conseil scolaire public du Nord-Est de l'Ontario             |
| 7  | Sault Ste Marie Police Service                     | District School Board Ontario North East                     |
| 8  | Timmins Police Service                             | Huron-Superior Catholic District School Board                |
| 9  | United Chiefs and Council of Manitoulin Anishnaabe | Near North District School Board                             |
| 10 | West Nipissing Police Service                      | Northeastern Catholic District School Board                  |
| 11 | Wikwemikong Tribal Police Service                  | Nipissing-Parry Sound Catholic School Board                  |
| 12 |  | Rainbow District School Board                                |
| 13 |  | Sudbury Catholic District School Board                       |
| 14 |  | Moosonee District School Area Board                          |
| 15 |  | Moose Factory Island District School Area Board              |
| 16 |  | James Bay Lowlands Secondary School Board                    |

## Police Signatories

Approved by:

|  |  |
|--|--|
| Anishinabek Police Service                         | <br>Chief John Syrette                 |
| Espanola Police Service                            | <br>Chief Steven Edwards               |
| Greater Sudbury Police Service                     | <br>Chief Paul Pedersen                |
| Nishnawbe-Aski Police Service                      | <br>Chief Terry Armstrong              |
| North Bay Police Service                           | <br>Chief Shawn Devine                 |
| Ontario Provincial Police, North East Region       | <br>Chief Superintendent Fern Labelle |
| Sault Ste Marie Police Service                     | <br>Chief Robert Keetch              |
| Timmins Police Service                             | <br>Chief John Gauthier              |
| United Chiefs and Council of Manitoulin Anishnaabe | <br>Chief Rodney Nahwegahbow         |
| West Nipissing Police Service                      | <br>Chief Charles Seguin             |
| Wikwemikong Tribal Police Service                  | <br>Chief Gary Reid                  |

**Ontario North East Region Police and School Protocol**  
**Protocole entre les services policiers et les conseils scolaires du Nord-Est de l'Ontario**



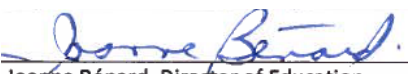
**School Board Signatories**  
**Signataires des conseils scolaires**



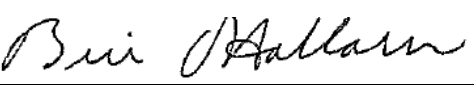
**Approved by:**  
**Approuvé par :**

|  |   |
|--|---|
| Algoma District School Board                                 | <br>Lucia Reece, Director of Education            |
| Conseil scolaire catholique du district des Grandes Rivières | <br>Lorraine Presley, Directrice de l'éducation   |
| Conseil scolaire catholique Franco-Nord                      | <br>Monique Ménard, Directrice de l'éducation     |
| Conseil scolaire de district catholique du Nouvel Ontario    | <br>Lyse-Arne Papineau, Directrice de l'éducation |
| Conseil scolaire du district du Grand Nord de l'Ontario      | <br>Marc Gauthier, Directeur de l'éducation     |
| Conseil scolaire public du Nord-Est de l'Ontario             | <br>Simon Fecteau, Directeur de l'éducation     |
| District School Board Ontario North East                     | <br>Linda Knight, Director of Education         |
| Huron-Superior Catholic District School Board                | <br>John Stadnyk, Director of Education         |
| Near North District School Board                             | <br>Jackie Young, Director of Education         |
| Northeastern Catholic District School Board                  | <br>Glenn Sheculski, Director of Education      |

**Ontario North East Region Police and School Protocol****Protocole entre les services policiers et les conseils scolaires du Nord-Est de l'Ontario**

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|   |   |
|---|---|
| Nipissing-Parry Sound Catholic School Board | <br>Anna Marie Bitonti, Director of Education |
| Rainbow District School Board               | <br>Norm Blaseg, Director of Education        |
| Sudbury Catholic District School Board      | <br>Joanne B  nard, Director of Education     |

| School Authorities' Signatories                 |  |
|---|--|
| Moosonee District School Area Board             | <br>Lorna Redwood, Supervisory Officer   |
| Moose Factory Island District School Area Board | <br>Lise Haman, Supervisory Officer      |
| James Bay Lowlands Secondary School Board       | <br>Bill O'Hallarn, Supervisory Officer |

## 2. Statement of Principles

The terms of the following agreement are based on the necessity to foster and maintain a safe, non-threatening environment for students, staff and community members within all North Eastern Ontario school board jurisdictions through the implementation of effective measures to deal with pupils while at school, school related activities, or in other circumstances where engaging in activities will have an impact on the school climate. These measures include the establishment of preventative procedures, the provision of appropriate early intervention procedures, and the administration of disciplinary action in accordance with the Education Act, Board Policy, the Criminal Code and other appropriate legislation.

This protocol supports and reflects the principles of community policing and ensures a consistent approach to the way police and schools respond to school-related incidents of violence and/or criminal behavior.

All members of the school community must

- respect and comply with all applicable laws;
  - demonstrate honesty and integrity;
  - respect differences in people;
  - treat one another with dignity and respect;
  - respect and treat others fairly;
  - respect the rights of others;
  - demonstrate proper care/regard for school and others' property.
- 

## 3. Introduction

It is the policy direction of the Ministry of Education and the Ministry of Community Safety and Correctional Services that school boards and police services establish and follow a protocol for the investigation of school-related occurrences.

This document has been prepared for the following reasons:

- To ensure a coordinated approach between school boards and police services;
- To promote dialogue and the establishment of effective relationships between schools and police based on cooperation and shared understandings;
- To address unique factors and/or considerations that may affect individual jurisdictions, and negotiate service-delivery arrangements accordingly.

This document outlines the common principles, the varied resources, and certain obligations and procedures that are required by provincial and federal legislation (e.g., the *Education Act*, the *Child and Family Services Act*, the *Criminal Code*, the *Youth Criminal Justice Act*, the *Canadian Charter of Rights and Freedoms*, and the *Ontario Human Rights Code*) and by case law.

It is important for schools and police to respect the human rights of students under the *Ontario Human Rights Code* (the *Code*) in the context of this document. For more information, see [www.ohrc.on.ca](http://www.ohrc.on.ca).

**Note to readers:** A glossary of terms is provided in Appendix C of this document. An asterisk

*following an italicized word or phrase at its first use in the text of the document signals that a definition of that word or phrase is provided in the glossary.*

### **Purpose of the Protocol**

Schools must be safe, inclusive, and equitable places for learning and teaching. A safe, inclusive, and equitable school environment fosters and supports learning and the ongoing development of respect, responsibility, civility, and other positive behaviours and characteristics.

At the root of effective school-police partnerships is a common understanding of each partner's roles and responsibilities, as well as agreed-upon procedures and clearly delineated decision-making authority. Providing the best possible education for students in a safe school community is a shared responsibility, which requires a commitment to collaboration, cooperation, and effective communication. Making our schools safer requires a comprehensive strategy that includes the following elements:

- Opportunities for staff to acquire the knowledge, skills, and attitudes necessary to maintain a school environment in which conflict and differences can be addressed in a manner characterized by respect and civility;
- Implementation of strategies for the prevention of violent and/or antisocial behaviour, and use of intervention and supports for those who are at risk of, or have already engaged in, violent or antisocial behaviour;
- An understanding of, and commitment to, human rights principles; and
- An effective and timely response to incidents when they occur – one that respects the rights of victims and witnesses, as well as those of the alleged perpetrators.

The Ministry of Community Safety and Correctional Services' guideline LE-044 on Youth Crime indicates that every police services procedures on the investigation of offences committed by young persons should include the steps to be taken by officers, in accordance with the local police/school board protocol, when responding to school-related occurrences. The guideline also states that every Chief of police, and the Commissioner of the Ontario Provincial Police (OPP), should work, where possible, with local school boards to develop programs for safe schools. Every chief of police and the OPP Commissioner should consider the need for a multi-agency strategy to prevent or counter the activities of youth gangs in the community, including working, where possible, with school boards, municipalities, youth and other community organizations, business, and the Crown.

In the development of this police/school board protocol, the school boards and police services have considered all relevant legislation, including, but not limited to the:

- *Youth Criminal Justice Act*
- *Criminal Code*,
- *Police Services Act*,
- *Canadian Charter of Rights and Freedoms*,
- *Ontario Human Rights Code*,
- *Provincial Offences Act* (specifically Part VI, "Young Offenders"),
- *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA),
- *Freedom of Information and Protection of Privacy Act* (FIPPA),
- *Child and Family Services Act*,
- *Personal Health Information Protection Act, 2004*,



- *Occupational Health and Safety Act (OHSA),*
- *Victim's Bill of Rights,*
- *Education Act, and*
- *Equity and Inclusive Education Policy.*

#### 4. Role and Mandate of Police Services

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

In partnership with the school boards, the police are committed to protecting life and property in accordance with the Police Services Act and to serving the school community.

Police may be involved with the school in three basic ways:

- Community policing services and projects;
- Police responses and interventions as incidents occur; and
- Police involvement after an incident.

Police will engage and work proactively in partnership with school officials to ensure the effectiveness of this protocol.

The police are further committed to *enforcing the Criminal Code of Canada and the Youth Criminal Justice Act, and other federal, provincial and municipal legislation and related regulations.*

Legislation under Section 42 of the Police Services Act includes;

- preserving the peace;
- assisting victims of crime;
- protecting public safety and preventing crime;
- apprehending criminal offenders and others who may lawfully be taken into custody;
- conducting law enforcement and criminal investigations;
- laying charges and participating in prosecutions;
- executing warrants
- completing prescribed training.

The police also have specific duties in accordance with community policing principles such as:

- providing information on community safety issues;
- promoting and fostering the prevention and reduction of crime, both against and committed by young people;
- assisting in the development of students' understanding of good citizenship;
- diverting young persons away from crime and anti-social behavior; and
- working in partnership with other government and community-based organizations to support positive youth development.

Police provide a visible and positive image for law enforcement. They serve as a confidential resource to counseling for 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 in order to maintain an atmosphere where teachers feel safe to teach and students feel safe to learn.

The police will continue to work within the school community in developing, implementing and delivering prevention and education programs in their respective jurisdictions.

All police agencies should keep track of statistics relating to school violence in their respective areas.

## 5. Role and Mandate of School Boards

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

The School Boards have a responsibility to develop preventative and effective measures to ensure safe school environments. The specific roles and responsibilities of the school board shall include, but are not limited to:

- clearly explaining the board's code of conduct to students and their families, including details such as the definition of the term *weapon\** and the potential reach of school discipline with respect to behaviours taking place outside of school that have a *negative impact on school climate\**;
- engaging and working proactively in partnership with police officials to ensure the effectiveness of this protocol;
- ensuring 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 B);
- complying with the requirements related to the duties of principals and teachers under the Education Act and regulations;
- complying with the requirements legislated under the Child and Family Services Act (e.g. the "Duty to Report");
- support a progressive discipline approach to choose the appropriate course of action to address inappropriate behaviour, including suspensions and expulsions;
- more effectively combine discipline with opportunities for students to continue their education;
- maintaining the Code of Conduct as required under current legislation;
- ensuring that resources (e.g. on drug awareness, on conflict resolution, on bullying prevention) are accessible to assist school staff in promoting a positive school environment with students and parents;
- developing policies on how to respond to crises, including a communication plan;
- ensuring that prevention and intervention strategies are available;
- providing staff with opportunities for acquiring skills necessary to promote safe school environments; and
- developing an effective consultation mechanism for soliciting input from staff, students, parents and school councils, and Special Education Advisory Committees in the development of local protocols.

All school boards must provide complete cooperation to ensure that these measures are fully communicated and implemented in their respective schools and that students, parents, teachers and staff, are aware of this protocol.

Additionally, school principals have roles and responsibilities to conduct investigations of incidents for which *suspensions\** 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.

## 6. Definitions / Explanations of Terms

A glossary is provided, outlining definitions of terms that are important to assist those who will be administering local protocols.

Appendix C has a complete list of Definitions and Explanations of Terms

## 7. A Coordinated Approach to Violence Prevention

Staff and students, under the leadership of Principals and Vice-Principals, will design activities to promote a positive atmosphere and pride in the school, including the development of strategies to improve individual self-esteem and the encouragement of student participation in co-curricular activities. School staff and student representatives will encourage participation in activities that will promote an image of their school as having a safe environment.

Principals, in co-operation with students, staff, parents/guardians and the school council, will develop a School Code of Conduct. Annually, in September, this School Code of Conduct will be distributed to students and parents/guardians.

Schools will promote learning environments that are safe, orderly, nurturing, positive and respectful. Such learning environments are to be peaceful and welcoming for all authorized individuals. Principals will encourage staff to be highly visible in the school and to engage in positive interactions with students, parents/guardians and the school community.

The Police will continue to pursue proactive crime prevention through the school liaison program. The police and school boards, in a coordinated and multifaceted approach, will promote positive behaviour and prevent school violence. Local police services, with the school community, will identify additional supports the police are prepared to offer, with respect to implementing violence-prevention policies in schools.

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 anti-social, 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.

Police work in partnership with schools and other community agencies to administer crime-prevention programs that focus on areas such as peer mediation, conflict resolution, referral to appropriate community resources (e.g., those providing counselling or mentoring services, drug awareness and education programs, or support for seeking employment or housing), and Crime Stoppers.

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;
- proactively identifying students at risk and giving them extra support;
- using progressive discipline to teach and encourage appropriate behavior 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.

The local police/school board protocol is one component of a broader partnership between schools and other essential community partners, including mental health providers, health care professionals, and children’s aid societies, that is dedicated to violence prevention in Ontario schools.

### Non-Incident Related Police Involvement

The following is a quotation from the National Association of School Resource Officers:

*“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.”*

Their involvement goes far beyond simply responding to incidents. The police:

- Establish and develop partnerships with stakeholders including school staff, students, parents, and members of the school community
- Develop and deliver pro-active programs, within the school community
- Develop links with youth service agencies in the community
- Identify police issues/concerns and respond appropriately
- Provide lectures and presentations upon request
- Participate in special events and meetings within the school community
- Counsel and advise students on police related matters

All police services involved offer valuable programs, lectures, displays, seminars and safety tips to the school community.

### Restorative Justice Programs

Where a school decides to implement a restorative justice process to address incidents that do not require involvement of police, the school shall ensure that all parties are aware of the intervention process that will be used to resolve the matter for all intents and purposes.

In each instance where an intervention is being implemented, the school will notify their respective policing agency in order to protect the integrity of both the intervention strategy and a potential criminal investigation.

## 8. Occurrences Requiring Police Involvement or Response

The following incidents require mandatory reporting to police (for students under the age of 12, refer to section 15 below). Note that mandatory police reporting does not mean that police will lay charges in every situation; however, for the incidents listed, police *must* be notified. The incidents listed include those that happen at school, during school-related activities in or outside school, or in other circumstances if the incident has a negative impact on school climate.

### Mandatory Notification of Police

The police must be notified as soon as practicable of the following types of incidents:

- all deaths;
- physical assault causing bodily harm requiring medical attention;
- *sexual assault\**;
- *robbery\**;
- *criminal harassment\*- including repeated bullying*

- *relationship-based violence\**;
- possessing a weapon, including possessing a firearm;
- using a weapon to cause or to threaten bodily harm to another person;
- *trafficking\** in weapons or in illegal drugs;
- possessing an illegal drug;
- *hate and/or bias-motivated occurrences\**;
- *gang-related occurrences\**; and
- *extortion\**
- *non-consensual sharing of intimate images\**; and
- *bomb threats*.

### Discretionary Notification of Police

Principals may notify police of the following types of incidents:

- giving alcohol to a minor;
- being under the influence of alcohol or illegal drugs;
- Physical assault;
- *threats\** of serious physical injury, including threats made on social networking sites or through instant messaging, text messaging, e-mail, and so on;
- Incidents of bullying; including incidents of bullying utilizing social media and electronic media (examples Facebook, MSN, Twitter, sexting, )
- incidents of vandalism; and
- trespassing incidents.

Principals should consider mitigating and other factors when deciding whether to call the police in these discretionary situations. (For students with special education needs, school boards should identify circumstances where a police response is neither necessary nor appropriate. Refer to section 14 below for further information on dealing with students with special education needs.)

It is expected that all other school-related occurrences not specified in the protocol will be dealt with by the principal on a case-by-case basis, and that police will be notified at the principal's discretion.

## 9. Information Sharing and Disclosure

The legal authorities pertaining to disclosure include:

- Section 32(g) of the Municipal Freedom of Information and Protection of Privacy Act;
- Section 42(g) of the Freedom of Information and Protection of Privacy Act;
- Section 118(1) of the Youth Criminal Justice Act – prohibits disclosure of information pertaining to the identity of a young person who is accused of a criminal offense; *however*
- Section 118(1) of the Youth Criminal Justice Act – introduces **exceptions** to the non-disclosure requirements by school personnel and other professionals engaged in the supervision of young persons which are set out in Section 118(1) to ensure the safety of staff, students and other persons;
- binding case law;
- the Education Act; and

- any existing policies or protocols on disclosure and/or information sharing among schools, police services, courts and correctional services.

The procedures and obligations required under the *Youth Criminal Justice Act*, the *Child and Family Services Act*, the *Education Act*, and the *Municipal Freedom of Information and Protection of Privacy Act* include:

**a) Criminal Code**

The police can access a student's Ontario Student Record (OSR) and other student records, 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. In exigent circumstances, the police can access a student's OSR without a warrant, under section 487.11 of the *Criminal Code*.

**b) Youth Criminal Justice Act**

The Youth Criminal Justice Act includes provisions that deal with the disclosure, security, storage, and destruction of information pertaining to young offenders. Such information will be shared in a manner that ensures that there is a balance between "the need to know" and the "rights of the young offender".

The Youth Criminal Justice Act protects the privacy and identity of young persons. The provisions of the Youth Criminal Justice Act prohibit all persons, including police, youth courts and school board officials, from publishing or making public any report of an offence committed or alleged to have been committed by a young person or any report of a hearing, adjudication, disposition or appeal concerning a young person in which the name of the young person, the victim or any witness is likely to be disclosed. "Report" should be interpreted in a broad sense to include virtually all information or publication that might disclose the identity of a young person.

This does not prevent disclosures pursuant to a court order, principals from suspending or excluding students for the reasons set out in the *Education Act and Regulations*, or Boards from hearing the appeal of a parent/guardian or an adult student, nor does it prohibit school boards from exercising their right to expel a student. In each of these cases, evidence of the events may be presented despite the existence of the Youth Criminal Justice Act proceeding.

In prosecutions of students under the Youth Criminal Justice Act and the *Criminal Code*, courts frequently impose obligations upon the accused students that also affect the schools themselves, for example, a bail or probation order may require the student to attend or prohibit the student from returning to school, or require that the student not come closer than some minimal distance from the alleged victims. At the same time as the court action is proceeding, the school may be in the process of suspending or expelling the student pursuant to the authority in the *Education Act*.

In order to avoid any conflict between the judicial proceedings and the school board's actions in dealing with an incident, the police officers involved in the case should consult with school administrators before recommending bail, and/or probation conditions.

Correspondingly, school administrators are encouraged to initiate discussions with the police regarding such conditions. In addition, police officers will endeavor to alert the school and seek to assist the school in its efforts to accommodate the bail or probation order while at the same time continuing to exercise its powers and fulfill its obligations under the *Education Act*. The principal, subject to an appeal to the school board, may refuse to admit to the school or classroom a person whose presence in the school or classroom would in the principals' judgment be detrimental to the physical or mental well-being of the pupils and/or staff.

The YCJA sets out the procedural requirements for dealing with young persons charged with offences. (Refer to Part 6 (ss. 110 to 129) 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";
- 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.

### **c) *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. As part of the local protocol, police services and school boards should develop a policy for the disclosure of personal information in situations under subsection 32(g) of the MFIPPA (i.e., "to aid an investigation undertaken with a view to a law enforcement proceeding ...").



Further information regarding the release of students' personal information can be found in the Office of the Information and Privacy Commissioner's *Guide to Ontario Legislation Covering the Release of Students' Personal Information*, at [www.ipc.on.ca/english/Resources/Discussion-Papers/Discussion-Papers-Summary/?id=495](http://www.ipc.on.ca/english/Resources/Discussion-Papers/Discussion-Papers-Summary/?id=495).

#### d) Child and Family Services Act

The *Child and Family Services Act* mandates that anyone who has reasonable grounds to suspect that a child is or likely will be a child in need of protection must report these suspicions to the Children's Aid Society. Section 72(1) - "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 (a need for protection), the person shall forthwith report the suspicion and the information on which it is based to a society".

Professionals and the public are required to report to a Society if there are reasonable grounds to suspect that a child may be in need of protection. Professionals and the public cannot delegate the duty to report to another individual and the duty to report is an ongoing obligation. Information should be shared in a manner that respects the vulnerabilities of children who may be in need of protection.

#### e) Education Act

Under the Education Act and in accordance with the regulations and the guidelines issued by the Ministry of Education, a principal is responsible for collecting information for inclusion in a student's record. The **Ontario Student Record** ("OSR") contains information such as transcripts, report cards, and photographs. The OSR will also include, where applicable, a *Violent Incident Form* containing:

- A description of the serious incident
- A reference to the call to the police, if applicable;
- A reference to the school/board disciplinary response to the incident, if applicable; and /or
- A copy of the school board's letter(s) to the student and/or parent(s) or guardian(s) regarding the suspension or expulsion for violent behavior.

Copies of Violent Incident Forms shall not be kept in the school outside the OSR folder; however, the notes made by a school official in the process of preparing the Violent Incident Form may be shared with police.

Under the statute, information in the OSR is privileged for the information and use of supervisory officers and the principal and teachers of a school for the improvement of instruction of a student. Disclosure of its contents to the police may be made in the following circumstances:

- With the written permission of a parent or guardian of the student or, where the student is an adult, with the written permission of the student;
- Through a search warrant requiring the surrender of an OSR to the police;
- In exigent circumstances, without a warrant, under section 487.11 of the *Criminal Code*; or
- Through a subpoena or appropriate court order.

- In criminal matters, if a school Principal is served with a warrant requesting an OSR or other records, the Principal is obliged to comply with the warrant and will provide a copy of the OSR contents and other records as specified. The Principal may contact the Superintendent for legal advice before releasing information. This should be done immediately upon receiving the warrant.
- If a Principal is personally served with a subpoena requiring his/her testimony in a criminal case, he/she is obliged to comply with the subpoena, attend court, and produce any records or documents, including the original O.S.R., to court as specified in the subpoena. In the event that a record or document is ordered by the court to be entered into evidence, **the Principal should bring the original records or documents, plus three copies**, so the School Board can request to retain the originals and provide copies to the court.

#### f) Other Release of School Information to Police

In the absence of a warrant or court order, Principals should seek direction from their Superintendent before releasing any information.

If the Police are conducting an investigation for the purpose of law enforcement proceedings, the school Principal shall, upon the request of Police and pursuant to section 32(g) of the Municipal Freedom of Information and Protection of Privacy Act, release general information to the Police officer including, but not limited to the following:

- I. name, address and phone number of the student or staff member;
- II. name, address and phone numbers of the parent or guardian of the student.

In exigent circumstances, the police can access a student's OSR without a warrant, under section 487.11 of the *Criminal Code*.

### 10. School Procedures for Reporting to Police

#### School Reporting Procedures

The school will follow procedures in accordance with information outlined in this section for the reporting of incidents that involve both students as victims and students as alleged perpetrators.

School officials will report to the police all incidents defined as requiring police involvement in section "Occurrences Requiring Police Involvement or Response" of this protocol.

In situations where there is no imminent threat to the safety of people in the school, school staff will consult with the principal/designate as appropriate and a decision will be made as to who contacts the police.

In situations where there is an imminent threat to the safety of people in the school, the individual staff member who recognizes the threat will contact the police immediately and inform the principal/designate as soon as possible.

In cases where a staff member has reasonable grounds to suspect that a child is or may be in need of protection, the staff member shall comply with the provisions of the *Child and Family Services Act* and any applicable school board guidelines such as child abuse protocols with the Children's Aid Society that outline the duty to report.

In emergency circumstances, reporting to police shall be done through 9-1-1.

In non-emergency situations that require police involvement, school staff should report the matter to the school principal or designate, who will initiate police contact.

When notifying the police of an incident, the caller should be prepared to provide the following information. Additional details may also be required:

- Where and what is happening?
- Is anyone injured and what are the injuries?
- Who and where is the caller?
- Are there any weapons involved? What type? Where are the weapons now and who has them?
- Who is involved (including names, dates of birth)? How many people are involved?
- When did the event take place?

Refer to Appendix B regarding school lockdown procedures.

Reporting procedures must comply with the “duty to report” provisions under the *Child and Family Services Act*.

## **11. Initial Police Contact**

Under exigent circumstances, or if the principal is being investigated, the officer is not required to follow the procedures set out below.

The police officer who responds to a report of a school-related incident is responsible for obtaining and thoroughly documenting information on the incident. The officer is normally required to take the following steps:

- report to the principal, providing proper identification;
- explain the purpose of the visit, and plan with the principal on how to proceed;
- consider alternatives that 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 students under the age of 18 (see section 13(a) below).

From time to time, it may become necessary and/or unavoidable to interview or apprehend a staff member on school property. If this occurs it is the intent of the Board to proceed as sensitively and unobtrusively as possible while co-operating with the police. The police may not always be able to discuss or disclose circumstances involving the investigation (including apprehension). Where feasible, the police should attempt to contact a supervisory officer or senior executive of the Board of the staff member being apprehended.

## **12. School and Police Investigation 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*. 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 investigations should 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 endeavor to work within these logistical considerations in order to minimize the disruption to the school.

### **a) Legal Rights and Procedures**

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*).

#### **Students under 12 years of age**

Students under 12 years of age (children) shall have a parent or legal guardian present (or a designated adult acting in *loco parentis* if the parent/guardian is not available) during the interview with the police unless it is determined that this may hinder the investigation or jeopardize the safety of the student.

#### **Students 12 to 17 years of age**

##### **i) Principal/ Designate will:**

Upon notifying Police of an incident, school staff shall separate the involved students and refrain from taking written statements. In the event that school staff are taking a statement while conducting an internal investigation and determine that a criminal offence has been committed, they shall discontinue the statement and notify Police immediately.

Any statement(s) taken shall then be turned over to Police for purposes of an investigation if requested.

- Contact the police to initiate an investigation when the principal believes that a criminal act has occurred.
- Maintain a journal of actions.
- Provide the necessary information as requested for the police report.
- Notify the police officer of any learning disability or other exceptionality of the student that may impede the student from expressing or understanding written/oral communication.
- In consultation with the investigating police officer, contact the parent/legal guardian as soon as possible. The final decision as to immediate notification is at the police officer's discretion.
- Ensure confidentiality of police involvement with students and/or parents.

- Summon the student and provide a private setting for the interview.

**ii) Police shall:**

- Ensure that the student is advised of his/her rights, if under arrest or if criminal charges are being considered. For a student whose parent/legal guardian is not available, notification may be given to an adult relative or other adult known to the student. Where the student is married, notice may be given to the spouse of the student. In the absence or unavailability of the parent/legal guardian the youth has the right to have an adult of their choice present during any police interview.
- Inform the student of the legal right to waive the option of having anyone other than the police officer present during the interview. Such waiver must be made in writing and signed by the student.

**Adult Students (18 years of age) or Employees**

Since adult students and school board employees have the right of confidentiality:

**i) Principal/ Designate will:**

- Contact the police to initiate an investigation when the principal or superintendent believes that a criminal act has occurred.
- Maintain a journal of actions.
- Provide the information to the police as requested.
- Notify the police officer of any learning disability or other exceptionality of the student that may impede the student from expressing or understanding written/oral communication.
- Summon the student/employee to the office and provide a private setting for the interview.
- Immediately inform the appropriate school superintendent who shall inform the director when arrest, detention or removal of a board employee occurs while on board property.

**ii) Police must ensure that:**

- Students and staff are advised of their rights, if under arrest or if criminal charges are being considered.
- 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*).

When the principal is the subject of an investigation:

- The police officer will contact the appropriate supervisory officer of the school board to determine an appropriate procedure given the context of the investigation.

**b) Search and Seizure**

It is the responsibility of the Principal or Vice-Principal to advise the students at the beginning of the school year that desks and lockers are school property and there is no expectation of privacy on the part of the students; therefore, a search of such property is permissible by the school administrator. In this case, the Principal or the Vice-Principal is acting under the authority of the *Education Act* to maintain proper order and discipline in the school, and not as an agent of the Police. It is advisable for the Administrator to have another person present to conduct any search.

The Supreme Court of Canada in *R. v. M.R.M.* (1998) and the Ontario Court of Appeal in *R. v. J.M.G.* (1986) have stated that a Principal, who has reasonable grounds to do so, may conduct a search of a student or his/her possessions in carrying out his or her duties to maintain order and discipline in the school.

Teachers and principals are placed in a position of trust that carries with it not only the onerous responsibilities to teach the students, but also to ensure their safety and well being. The Supreme Court of Canada has ruled that searches of students by elementary or secondary school officials who are entrusted with the care and education of children are not an unreasonable violation of a student's rights under the Charter of Rights and Freedom (section 8) to be secure from unreasonable search and seizure so long as certain procedures are followed as outlined below. The manner in which students are treated in these situations will determine their respect for the rights of others in the future. According to the courts, searches should be gender appropriate and minimally intrusive.

### Grounds for a Search

The courts have held that a warrant is not essential in order to conduct a search of a student by a school authority. The courts have recognized that school authorities are in the best position to assess information given to them and relate it to the situation existing in the school. The following may constitute reasonable grounds:

- a) information received from one student to be credible;
- b) information received from more than one student;
- c) a teacher's or principal's own observations; and
- d) any combination of these pieces of information which the school authority considers to be credible.

The compelling nature of the information and the credibility of these or other sources must be assessed by the school authority in context of the circumstances existing at a particular school. Random or arbitrary searches or searches on groundless suspicion will likely be in contravention of the charter.

The following will not likely provide an adequate foundation for "Reasonable grounds" to believe there has been a breach of school rules:

- rumors, innuendoes or hunches;
- anonymous tips which are not collaborated in any way; or
- information which could not reasonably be considered credible.

### Right to Search Persons and Property

- A principal has the duty to carry out an investigation to determine the nature of the circumstances surrounding an infraction.
- 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.
- In carrying out his/her duties to maintain proper order and discipline in the school, the Principal, who has reasonable grounds to do so, may conduct a search of a student's clothing, possessions, or any area (desk, locker, backpack) where his/her possessions may be stored. However, it may be advisable that the student be present when the locker or desk is being opened to avoid allegations that the administration planted something or took something from the locker or desk.

- All searches by school officials will be carried out in the presence of a witness.
- As much force as necessary may be lawfully employed to safely and effectively complete the search.

- |  |
|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Search lockers and personal property</li> <li><input type="checkbox"/> Have the student empty and turn out pockets</li> <li><input type="checkbox"/> Have the student remove outer clothing (jackets)</li> <li><input type="checkbox"/> Have the student remove shoes and socks</li> <li><input type="checkbox"/> Call the police if a more intrusive search is deemed necessary unless exigent circumstances prevail.</li> <li><input type="checkbox"/> Keep the student under observation until police arrival.</li> </ul> |
|--|

- Searches conducted by police shall be done in accordance with lawful authority.
- The police should notify the principal before conducting searches on school premises. (Under some exigent circumstances, police may be required to execute a search warrant without notice to the principal.)

### c) Detention and Arrest

Where investigations result in detention and/or arrest, the police and the principal should pay particular attention to the following procedures and responsibilities:

- police procedures to be followed in the detention and/or arrest of suspects, in accordance with the Ministry of Community Safety and Correctional Services' Guideline LE-005 on arrest and the *Youth Criminal Justice Act*;
- roles and responsibilities of police in the event of a suspect being arrested or detained on school property;
- legal grounds for police to demand entry (e.g., for weapon and drug searches, to arrest a person wanted for an indictable offence, or to save lives); and
- requirements to be followed under the *Youth Criminal Justice Act* when a young person is arrested and detained, including who is responsible for discharging specific obligations (e.g., the notification of parents under s. 26 of the Act).

Whether or not the incident giving rise to the necessity to arrest is school-related, the police shall, in the interest of school safety and morale, consult with the principal prior to the arrest to arrange a suitable procedure by which police will access the student.

When it is necessary that a student be arrested at school during school hours, such an arrest will be made in a manner that will minimize disruption of school routines.

Where a student is to be arrested, police shall not be denied access to the student.

There may be circumstances in which physical restraints will be necessary. These will be employed with full regard for the safety of those involved in accordance with this protocol, police procedure and the arresting officer's discretionary powers.

In the interest of safety or in exigent circumstances police may effect an arrest of a student forthwith and following the arrest shall notify the principal or designate as soon as possible.



### d) Supports for Victims

It is important that police and the principal be aware of the following procedures and responsibilities with respect to providing support for victims:

- procedures consistent with the Ministry of Community Safety and Correctional Services' Guideline VA-001 on victims' assistance;
- roles and responsibilities of police and school personnel, such as:
  - the requirement that police officers remain at the scene until satisfied that there is no imminent threat to the victim and that issues related to the victim's safety have been addressed;
  - the obligation that the principal 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); and
  - the requirement that all board employees who work directly with students are expected 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-based service providers, Help Phone lines);
- notice to victims and (when applicable) their parents 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;
  - access to information; and
  - confidentiality of victim and witness identity (s. 111, *Youth Criminal Justice Act*);
- procedures for information sharing and community referrals.

### 13. Police Interviews of Students

It is the responsibility of police to conduct interviews related to criminal investigations of incidents that involve students as alleged perpetrators, victims, or witnesses.

The Police, in the course of an investigation, may need to interview students. For routine investigations involving incidents that are not school-related, police officers will attempt to interview students at home outside school hours unless there is immediate danger or emergency, or unless contacting the student at school is a last resort.

If the school encounters an incident which necessitates the involvement of the Police, the Principal shall request the Police attend at the school. The following procedure will be used when students are being interviewed:

- If the Police wish to interview a student on school property, the officers shall contact the Principal of the school that the student is attending, to advise the school administration of the nature of the visit, and to request a meeting with the student. Police officers should have the permission of the principal when interviewing a student on school or board properties or at school functions, or notify the principal as soon as practical if it was not possible to first obtain such permission.
- It is the responsibility of the school to communicate to the Police officer if any student has a learning disability or other exceptionality that may impede the student from



- expressing or understanding written/oral communication. The Principal shall remain with the student during any interview held at the school. Refer to section 14 of this protocol for further information
- If the student who is being interviewed is under 18 years of age, the school will advise the student that his/her parents/guardians shall be contacted, by the school, prior to any interview with the Police. At that time the parents/guardians shall be advised that their child is being interviewed as a witness, as a victim or as a suspect.
  - If the student who is being questioned is 18 years of age or older and therefore considered an adult, or if the student who is being interviewed is 16 or 17 years of age and has withdrawn from parental control, the school shall not contact the parents/guardians without the permission of the student. The parents/guardians have the right to attend an interview of the student, provided the student agrees to their attendance (as per the Youth Criminal Justice Act).
  - 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**.
  - Once parent/guardian permission is granted, the school administrator shall provide the Police with access to the student. A private room will be made available for such interviews to ensure confidentiality for students and/or parents/guardians.
  - If the parents/guardians of the student **under 18 years of age** do not wish to attend the school or the school is unable to contact the parents/guardians, within a reasonable amount of time, or the **adult student (18 years of older, or a 16 or 17 year old student who has withdrawn from parental control)** expresses the desire that they do not wish their parents/guardians contacted, the Principal or Vice-Principal shall be present during any interview of the student held at the school provided the student agrees to their attendance.
  - If a student expresses his/her right not to have the Principal present, the school administrator will request the Police to conduct their investigation **off school property**. The Principal and the Police will document the details.
  - If the student is not in attendance at school on that day, the school shall inform the Police officer of the student's date of birth, address, phone number, and the parent's/guardian's home and business phone numbers on file, in accordance with section 32(g) of the Municipal Freedom of Information and Protection of Privacy Act, which is the authority for providing such personal information to law enforcement officials who are conducting an investigation of law enforcement proceedings. Refer to section 8 of this protocol for further information.

School officials will recognize that the police and the Children's Aid Society may conduct a joint interview if a child is suspected to be in need of protection.

### a) Notification of Parents

If the student is a Crown ward or ward of the Children's Aid Society, the legal guardian is the Children's Aid Society and they shall be contacted in the same way as a parent/guardian.

There may be times where the Police will direct the school administrator **not** to contact the parents/guardians, for example:

- I. The parents/guardians are the suspects of a crime about which the student is being interviewed and/or;
- II. Contacting the parents/guardians could interfere with the Police investigation.
- III. The school administrator will follow Police direction in this regard and will document the name and badge number of the officer and the direction given.

### Students under 12 years of age (children)

These students shall have a parent or legal guardian present (or any other adult acting in *loco parentis* if the parent/guardian is not available) during the interview with the police unless it is determined that this may hinder the investigation or jeopardize the safety of the student. The following procedures should be recognized in occurrences involving children under the age of 12:

- Police may arrest but will not process charges against these young children under the *Youth Criminal Justice Act*, the *Provincial Offences Act*, or the *Criminal Code*.
- The parent/guardian must be notified as soon as possible.
- The police have the authority to take reports and conduct interviews.
- The specific types of incidents that are to be reported for students under twelve years of age are those identified as serious incidents of violence and/or threats of violence and/or those situations where it is suspected that the child is in need of protection.

### Students 12 to 17 years of age

These students may have present a parent, legal guardian, or any other adult chosen by the student during the interview with the police. Police will, when appropriate, advise the student of this right before taking an oral or written statement and must provide the student with a reasonable opportunity to consult with counsel or a parent or any appropriate adult chosen by the young person. The student has the right to refuse to have a parent, legal guardian or any other adult present during the interview. Police will follow accepted procedure as it applies to admissibility of statements (i.e., notifying the young person of rights, including the right to refuse to give a statement). If the Children's Aid Society is involved (as in suspected abuse or neglect), the school official(s), police and child protection worker(s) will discuss and come to agreement on the timing and procedure for notifying the parent/legal guardian.

### Students 18 years of age or older

The parent/legal guardian need not be called if the student is 18 years of age or older, unless the student gives his/her consent, or makes the request him/herself, or is incapable of providing consent.

The principal will contact the parent/guardian or another adult chosen by the student as soon as possible, unless advised by police that this action may contravene the rights of the student or hinder the investigation or jeopardize the safety of the student. If the circumstances and timing

of the investigation preclude this action, the principal will notify the parent/guardian of the interview as soon thereafter as possible unless requested not to do so by the investigating officer.

### **b) Preparation for Interviews**

Considerations shall be given by school and police representatives to preparations for interviews, including details such as:

- Secure locations for interviews of persons suspected of criminal offences;
- The need for specialized resources where the student is known to have a behavioral, cognitive, physical or learning disability, especially where these exceptionalities and needs have been identified in the student's Individual Education Plan;
- The methodology of the interview relative to the age of the student; and
- Determination of the need for an interpreter (e.g., a language interpreter, an interpreter for deaf or hearing-impaired students).

### **c) Conduct of Interviews**

Considerations shall be given to:

- Providing 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;
- Involving the local Children's Aid Society in the interview process, which is required when the child is potentially 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.

## **14. Reporting of Children Suspected to be in Need of Protection**

The Child and Family Services Act, includes the duty to report a child suspected to be in need of protection. Professionals and the public are required to report if there are reasonable grounds to suspect that a child may be in need of protection. Professionals and the public cannot delegate the duty to report to another individual and the duty to report is an ongoing obligation. The school boards have and will maintain policy and guidelines to ensure the safety of the students (i.e. the protocol for contacting the Children's Aid Society).

## **15. Investigation Involving Students with Special Education Needs**

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 7 of this document. However, additional considerations must be taken into account by school personnel and police in investigations that involve a student known to have special education needs, who may be identified as having an exceptionality in any of the following categories: behaviour, communication, intellectual, physical, or multiple.

**Such considerations include:**

- 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;
- 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. Occurrences Involving Children Under 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 7 (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.

The principal is required to conduct an investigation of an incident for the purpose of school discipline – for example, where a recommendation for suspension or expulsion may be required – regardless of the age of the students involved.

Under the Youth Criminal Justice Act, a “young person” is any person from the age of 12 through 17. Although students under age 12 cannot be charged criminally, the police may still intervene to facilitate communication between the school and parents/guardians. When a student under 12 years of age has seriously injured another person, or caused serious damage to another person's property, and the parental response to the child's behaviour or need for treatment is inappropriate, the matter should be referred to the Children's Aid Society as a child who may be in need of protection. The matter shall also be dealt with in accordance with the Protocol provisions dealing with Children Under 12 in Conflict with the Law.

Police have the authority to arrest when necessary, take reports and conduct interviews. The principal will record attempts made to contact the parents. In the cases of students who are Crown Wards, the legal guardians are considered to be the Children's Aid Society (does not include foster parents).

The following considerations for responding to occurrences involving students under the age of 12, include:

- the requirement for the principal 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 requirement to provide accommodations and/or modifications for students with special education needs, as outlined in their IEPs.
- the authority police have to take reports, make referrals to additional services (e.g., health/counseling), and conduct interviews;
- the 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)

For further information, refer to the document *Reporting Child Abuse and Neglect*, developed by the Ministry of Children and Youth Services, which is available at [www.children.gov.on.ca/htdocs/English/topics/childrensaid/reportingabuse/index.aspx](http://www.children.gov.on.ca/htdocs/English/topics/childrensaid/reportingabuse/index.aspx).

## 17. School Board Communication Strategy

Regular and meaningful communication will garner support for this protocol from school councils, parents, staff and students for the development and understanding of the contents. Annual reminders of the existence of the protocol will be provided to the school community through newsletters, school council meetings, or other appropriate strategies

### Communicating with the Media

The police and school officials will consult each other prior to dealing with the media. The police will, whenever reasonable and practicable, issue media releases relating to school-related incidents.

Both the police and the school will identify for each other who the lead spokesperson is for dealing with the media during an incident. The school spokesperson will be the Director of Education or designate. While the event or police investigation is in progress, the police spokesperson will normally take the lead in dealing with the media.

## 18. Protocol Review Process

A review of the local protocol shall be conducted every two years or sooner if required.

The review is conducted by the police and school board, who should develop an effective mechanism for soliciting input from school staff, students, and parents.

## 19. Physical Safety Issues

To enhance the safety of students, staff and teachers, when requested, police can work in cooperation with local schools to assess the physical safety of buildings and/or school premises. School officials can discuss details about the level of support and available resources with their local police service.

Similar support may be available to the school through the local police service for obtaining risk and/or threat assessment services. This can include specific procedures for obtaining criminal reference checks.

## 20. Risk Assessment Services

School staff should be concerned when a student displays high-risk behavior that may lead to serious criminal activity. This behavior may include collecting information on weapons or how to design bombs, creative writing assignments on death and destruction, etc.

Incidents of violence in schools are often preventable through early intervention in response to threatening behaviour, or non-threatening but worrisome behavior that may pose a risk of violence. Taking steps to identify at-risk students through early and ongoing assessment and intervention strategies may reduce the need for disciplinary action and police interventions.

In cases of such behaviour, the principal/designate will contact the police service responsible for that jurisdiction. The incident will be assessed and if need be, the police agency involved will contact the OPP Behavioural Sciences Section and the Threat Assessment Unit may become involved.

## 21. Emergency Planning and Threats to School Safety

Schools are expected to develop an Emergency and Crisis Response Plan, in keeping with district school board policies, with appropriate follow-up measures. The plan should be communicated to members of the school community and police services. Response plans should be developed for the following emergencies:

- Fire
- Bomb Threat/Explosion
- Armed Intruder
- Violent or potentially violent incident (i.e. active shooter)
- Tragic Response (i.e. school bus collision involving deaths/injuries)
- Evacuations to an alternate site
- Safe arrival procedures for elementary schools, and
- any other threats unique to the school, that require emergency preparedness

Every school should be guided by the provincial policy in developing its lockdown plan and its bomb threat plan.

The development and monitoring of this plan should include teachers, staff, students and school councils. The plan should be fully communicated to members of the school community and police services. Mechanisms for sharing the Emergency Response Plan with police services should be specified.

### Crisis Intervention Reporting

The principal/designate will review the school's emergency plan with staff and school council at least annually and will ensure that staff is aware of the points of contact (e.g., 911 for emergencies).

When police arrive at the school in response to a crisis, the school will provide the following upon request;

- Lists of staff and students with information such as photographs, addresses, telephone numbers, next of kin, etc.;
- Class schedules and timetables;
- Attendance records for that day;
- Bus rosters;
- Floor plans of the school including environmental and mechanical systems;
- Master keys;
- Indicators for marking doors of areas searched;
- Crisis and evacuation kits that include such items as the school's emergency plan, a megaphone, a first aid kit, markers and notebooks, a "Guide" to crisis management, school board policies applicable to crises, name tags, and tape; and
- Telephone numbers, including teachers with access to cellular phones.

### Follow-up Procedures

The principal shall report to a supervisory officer as soon as possible the basic details of a crisis event and shall follow up with a detailed, written report when the crisis has passed. The supervisory officer will provide information for school board trustees.

The principal will involve the local crisis events response team(s) as deemed necessary to help students and staff members cope with critical and/or tragic events.

School officials, not students, should be made aware of certain police response tactics that can be expected in instances of an emergent ongoing incident of a violent nature.

## 22. Training

This document specifies the requirement that the school board and police services provide joint training on the local police/school board protocol to their respective staff on an annual basis.

To improve collaboration between local police services and schools:

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

## Appendix A: Glossary

### Arrest

{Within the meaning of the Charter of Rights}

When a peace officer or other agent of the state assumes control over the movement of a person by a demand or direction which may have significant legal consequences. The seizure of a person and the taking of a person into custody.

### Assault

{As defined in the Criminal Code of Canada}

- (1) A person commits an assault when
  - (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
  - (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
  - (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.
- (2) This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.
- (3) For the purposes of this section, no consent is obtained where the complainant submits or does not resist by reason of
  - (a) the application of force to the complainant or to a person other than the complainant;
  - (b) threats or fear of the application of force to the complainant or to a person other than the complainant;
  - (c) fraud; or
  - (d) the exercise of authority.

### As soon as possible

At the earliest possible time in the context of an investigation or review process with due regard for the safety and rights of those involved.

### 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

{As defined in the Criminal Code of Canada}

For the purposes of this section, "bodily harm" means 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.

### Bullying (Ministry of Education)/ Intimidation (Criminal Code of Canada)

Bullying as defined by the Ministry of Education:

"... typically a form of repeated, persistent, and aggressive behaviour directed at an individual or individuals that is intended to cause or should be known to cause) fear and distress and or harm to another person's body, feelings, self-esteem, or reputation. Bullying occurs in a context where there is a real or perceived power imbalance."

Section 423 of the Criminal Code of Canada defines intimidation as follows:

" 423. (1) Every one is guilty of an indictable offence and liable to imprisonment for a term of not more than five years or is guilty of an offence punishable on summary conviction who, wrongfully and without lawful authority, for the purpose of compelling another person to abstain from doing anything that he or she has a lawful right to do, or to do anything that he or she has a lawful right to abstain from doing,

- (a) uses violence or threats of violence to that person or his or her spouse or common-law partner or children, or injures his or her property;



- (b) intimidates or attempts to intimidate that person or a relative of that person by threats that, in Canada or elsewhere, violence or other injury will be done to or punishment inflicted on him or her or a relative of his or hers, or that the property of any of them will be damaged;
- (c) persistently follows that person;
- (d) hides any tools, clothes or other property owned or used by that person, or deprives him or her of them or hinders him or her in the use of them;
- (e) with one or more other persons, follows that person, in a disorderly manner, on a highway;
- (f) besets or watches the place where the person resides, works, carries on business or happens to be; or
- (g) blocks or obstructs a highway.

**Exception**

(2) A person who attends at or near or approaches a dwelling-house or place, for the purpose only of obtaining or communicating information, does not watch or beset within the meaning of this section.

**Children's Aid Society**

For the purposes of this protocol, shall also include any equivalent child protection agency.

**Criminal Harassment as defined in the Criminal Code of Canada**

- (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.
- (2) The conduct mentioned in subsection (1) consists of
  - (a) repeatedly following from place to place the other person or anyone known to them;
  - (b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
  - (c) besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
  - (d) engaging in threatening conduct directed at the other person or any member of their family.

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 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

**Explosive Substance as defined in the Criminal Code of Canada**

- a) includes anything intended to be used to make an explosive substance,
- b) anything, or any part thereof, used or intended to be used, or adapted to cause, or to aid in causing an explosion in or with an explosive substance, and
- c) an incendiary grenade, fire bomb, molotov cocktail or other similar incendiary substance or device and a delaying mechanism or other thing intended for use in connection with such a substance or device; i.e.: fire crackers, blasting caps

**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.

**Extortion as defined in the Criminal Code of Canada**

- (1) Every one commits extortion who, without reasonable justification or excuse and with intent to obtain anything, by threats, accusations, menaces or violence induces or attempts to induce any person, whether or not he is the person threatened, accused or menaced or to whom violence is shown, to do anything or cause anything to be done.

**Firearm as defined in the Criminal Code of Canada**

A barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a firearm.

**Extra-judicial measures**

Measures used by police to hold a young person accountable for his or her alleged criminal behavior, 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.

**Freedom of Information and Protection of Privacy Act, 1989**

An institution shall not disclose personal information in its custody or under its control except, 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.

**Gang-related occurrences**

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

**Hate/Bias Motivated Crime as defined in the Policing Standards Manual 2000**

A criminal occurrence committed against a person or property which is motivated by hate/bias or prejudice based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor.

**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 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.)

**Mischief/Vandalism to Property as defined in the Criminal Code of Canada**

- (1) Every one commits mischief who willfully
  - (a) destroys or damages property;
  - (b) renders property dangerous, useless, inoperative or ineffective;
  - (c) obstructs, interrupts or interferes with the lawful use, enjoyment or operation of property; or
  - (d) obstructs, interrupts or interferes with any person in the lawful use, enjoyment or operation of property.

**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 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (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 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (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 behavior 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 a worsening of the pupil's behavior 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, cyberbullying 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.

**Noxious Substances**

Harmful materials inclusive of, but not limited to, legal and illegal drugs and products listed under Workplace Hazardous Materials Information System (WHMIS).

**Parent**

Refers to a parent or legal guardian; that is, 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.

**Perpetrator**

A person who commits a crime or an act that results in another person(s) being victimized.

**Points of Contact**

Refer to the specific directions for getting assistance or help in emergencies. The local school's "points of contact" will be outlined in the school's emergency plan.

**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.

**Principal**

A teacher appointed by a board to perform in respect of a school the duties of a principal under this Act and the regulations. From time to time some duties of the principal may be assigned to a designate.

**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 behavior.

**Requiring Medical Attention** (As the result of a physical assault)

Refers to bodily harm that requires diagnosis and/or treatment by a health care professional. Such a serious physical assault would require that a violent incident form be generated.

**Robbery**

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

**Sexual Assault**

Sexual assault is an act committed, or threatened, in circumstances of a sexual nature such as to violate the sexual integrity of the victim.

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.

**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 possession alcohol or illegal drugs.

**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.

**Uttering Threats as defined in the Criminal Code of Canada**

- (1) Every one commits an offence who, in any manner, knowingly utters, conveys or causes any person to receive a threat
- (a) to cause death or bodily harm to any person
  - (b) to burn, destroy or damage real or personal property; or
  - (c) to kill, poison or injure an animal or bird that is the property of any person.

**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.

**Victim**

A person who is the recipient of physical, psychological or emotional harm or unfair treatment as the result of an event, circumstances, an act of aggression or crime.

*Secondary victims* are those who witness acts of violence and/or believe they are at risk of being a victim as a result of the event or circumstances.

**Weapon as defined in the Criminal Code of Canada**

Any thing used, designed to be used or intended for use

- (a) in causing death or injury to persons whether designed for such a purpose or not, or
- (b) for the purpose of threatening or intimidating any person

and, without restricting the generality of the foregoing, includes a firearm.

**Weapons Offences as defined in the Criminal Code of Canada**

(1) Every person commits an offence who carries or possesses a weapon, an imitation of a weapon, a prohibited device or any ammunition or prohibited ammunition for a purpose dangerous to the public peace or for the purpose of committing an offence.

## Appendix B: Provincial Policy for Developing and Maintaining Lockdown Procedures for Elementary and Secondary Schools

### 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 overlooked. 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 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.

Given the dynamic, complex, and fluid nature of such incidents, continuous communication, assessment, and coordination by first responders and school administrators are of paramount importance in ensuring an effective response. School board and police department staff must bring this understanding to all planning and training related to lockdown procedures.

Plans and procedures reflecting the following policy must be included in the school's Emergency and Crisis Response Plan, which must be appended to the protocol.

### 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.

### Mandatory Requirements

1. All publicly funded school boards in Ontario must establish a lockdown 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 Lock down /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.

**“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 be aware 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 read 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;
- consider barricading doors where possible, in addition to locking them. Barricading can sometimes provide additional protection against an intruder.

Consideration should also be given to developing strategies for ways in which staff are to assist students in coping with an extended lockdown or “hold and secure”. For example, staff members must have access to all necessary emergency medications for prevalent medical conditions such as anaphylaxis, diabetes, asthma, and epilepsy.

### Rationale

The goal is to make the classroom appear vacant.

### **Portables – Procedures during Lockdown**

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 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 pre-determined 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 lockdown 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 C: 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.<sup>1</sup> 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 a 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 fluid 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.

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<sup>1</sup> Canadian Bomb Data Centre, "Developing a Response Plan", [www.rcmp-grc.gc.ca/tops-opst/cbdc-ccdb/resp-interv-plan-eng.htm](http://www.rcmp-grc.gc.ca/tops-opst/cbdc-ccdb/resp-interv-plan-eng.htm).



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 and 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).<sup>2</sup> The OFMEM provides a 24-hour response for all explosions. The OFMEM is notified immediately of all fatal fires, explosions, and incidents causing injuries so that an OFMEM investigator can be assigned.

## Floor Plans

Accurate, up-to-date floor 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

<sup>2</sup> 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](http://www.mcscs.jus.gov.on.ca/english/FireMarshal/Legislation/FireMarshalsDirectives/FM_directives.html).

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.

### 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 a 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.<sup>3</sup> 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](http://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 the 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.

<sup>3</sup> Canadian Bomb Data Centre, "Developing a Response Plan", [www.rcmp-grc.gc.ca/tops-opst/cbdc-ccdb/resp-interv-plan-eng.htm](http://www.rcmp-grc.gc.ca/tops-opst/cbdc-ccdb/resp-interv-plan-eng.htm)

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.

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 it 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 the 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 practised 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 a 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. 58). 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. 56) 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 walkie-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 students 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 school's 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 practised 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.

## 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 officer before?
- 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
- 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.
- 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 charged 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(of ☐r'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: \_\_\_\_\_

**5. IF THE YOUNG PERSON INDICATES THAT HE/SHE WISHES TO SPEAK TO ANY OF THE ABOVE PERSONS, THE OFFICER CONDUCTING THE INTERVIEW MUST NOW FACILITATE THOSE CONVERSATIONS.**

Do you wish to make a statement?

Reply: \_\_\_\_\_

If yes, the police must have the people 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: \_\_\_\_\_

If you decide to make a statement, you can stop at any time. You can also at any time talk to a lawyer and a parent, adult relative, or another appropriate adult, and have that person here with you.

Do you understand?

Reply: \_\_\_\_\_

## 6. WAIVER OF RIGHTS

I have been given the opportunity to obtain immediate free advice from a Legal Aid Lawyer and the opportunity to talk to a lawyer and my parent(s); or, in the absence of a parent, an adult relative; or, in the absence of a parent or adult relative, another appropriate adult. I have been informed that the police must have the people with whom I have just spoken present when making a statement unless I do not want them, or any one of them, with me during this interview. These rights have been explained to me and I understand them.

I choose not to talk with any of these people.

\_\_\_\_\_  
Signature of Young Person

I do not want any of them here with me during this interview.

\_\_\_\_\_  
Signature of Young Person

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Time

Name of Person Present: ☐ Parent(s) ☐ Adult Relative ☐ Other Appropriate Adult

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

## 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 it to influence you in making 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:

\_\_\_\_\_  
\_\_\_\_\_

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Signature of Young Person: \_\_\_\_\_

Time Completed: \_\_\_\_\_

Witnesses: (1) \_\_\_\_\_

Signature: \_\_\_\_\_

(2) \_\_\_\_\_

Signature: \_\_\_\_\_

## Appendix E: Violent Incident Emergency Response Plan

(An example for consideration by individual boards and schools.)

### Introduction

For the purposes of this plan, a violent incident is defined as a situation involving an armed individual posing immediate threat to life (i.e. has a gun, knife, explosives, and a weapon as defined in the Police and School Protocol).

Note: Bomb threats are not covered under these procedures.

Although infrequent, the possibility of a major violent incident in one of our schools is a reality. The level of preparedness to deal with such an incident by school staff, students and the police, will have a major impact on the outcome of the incident.

A great deal of time, thought and effort has gone into preparing a response plan, which is user friendly, easily understood and effective. While certain portions of the plan are tailored for each school based on individual needs, the overall plan is designed to have common application, for all schools and police services across North East Region.

### Roles

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

**Students** – Students have a responsibility to be familiar with certain aspects of the Violent Incident – Emergency Response Plan, and to respond quickly to the direction of staff during a crisis situation. In addition, any student with information or knowledge prior to or during a crisis situation must come forward with that information immediately. In almost every incident of major violence at a school, it was later learned that one or more students had prior knowledge of what was going to take place, but failed to tell anyone.

**Police** – Police are responsible to respond to and investigate, violent incidents as defined in this plan. During a violent incident, police will assume command and control of the response and investigation, but will liaise and work closely with school administration throughout the process. Police are responsible to be familiar with the locations and internal designs of schools within their areas of patrol.

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

**School Community Councils** – Members of School Community Councils need to support the local school plan and assist the school administration in promoting awareness of the plan throughout the broader school community.

## Training

This plan will be of little value in a crisis situation, if the plan is not exercised on a regular basis. School administrators will be required to review this plan with staff (including supply teachers, parent volunteers, etc.) at least once during each school year. The police service responsible for community policing in each school shall assist in annual training.

Both elementary and secondary schools are to have a minimum of one drill yearly.

Each school will be responsible for training their students in order to educate them on how to react when the police arrive at the scene.

## Preparation and Planning

### Crisis and Evacuation Kits

Upon arrival, emergency personnel will require particular information and materials that are essential to an efficient response. These include:

- A complete list of staff and students complete with photographs, addresses, telephone number, next of kin, medical information
- Class schedules and time tables
- Attendance records for that day
- Floor plans of the school including environmental and mechanical systems
- Instructions for search teams with floor plan
- Master keys
- Indicators to mark doors of areas searched

These materials should be kept in a container specifically prepared for this purpose. It should also contain items such as:

- A bull horn/megaphone
- A first aid kit
- Pencils, pens, markers, paper, and notebooks
- A copy of this guide, your plan, and other necessary documents (Board Policies, Contact lists, etc.)
- Name tags
- Tape
- Blankets
- Tools
- Separate placards with directional words such as PARENTS, COUNSELORS, MEDIA, CLERGY, VOLUNTEERS, KEEP OUT
- Caution Tape
- Bus rosters
- Telephone numbers including teachers with access to cellular phones

## **Violent Incident Emergency Response Plan**

### **VIOLENT INCIDENT OCCURS**

(Armed individual posing threat to life, i.e. gun, knife, explosive, etc.)

School Personnel  
(teacher, custodian, student, etc.)



**NOTIFY**

Notify **Principal/ Vice-Principal or designate**  
- Relay intelligence received

- Keep the flow of information going if possible
- Confirm situation
- Ask questions to gain intelligence about situation if possible (who, where, what are the circumstances)

**C o n f i r m e d   V i o l e n t   I n c i d e n t**



Initiate **Lockdown / Hold and Secure / or Shelter in Place** procedures.



Call **911/ Emergency Number**

- Describe violent incident
- Stay on line
- Begin to document events, times



Notify Board Official  
(e.g.: Director,  
Supervisory Officer)

## Violent Incident

### When a Violent Incident Occurs

Although every effort is made to ensure a safe school environment, staff and students need to be aware of the possibility that a violent incident can occur at any time or in any location within a school.

If you observe a violent incident, DO NOT CONFRONT THE SUSPECT.

It is critical to notify the principal and/or designate. As well, if it is safe to do so without danger to yourself or others, obtain the following details:

- Location and number of suspects
- Suspect moving or stationary
- Identity
- Description of physical appearance (clothing, build, etc.)
- Description of weapons
- Possible motive or threats made
- Any known injuries and location of casualties.

### When Principal / Designate is Notified of a Violent Incident

When a violent incident is reported staff in the office need to keep the flow of information going, obtaining as much detail about the incident as possible from the initial observer. A priority at this point is to confirm a violent incident is occurring. After confirming that a violent incident has occurred, immediately implement the Violent Incident Emergency Response Plan. Focus on maintaining calm environment.

## Announcing Lockdown / Hold and Secure / or Shelter in Place

When notified of a violent incident, initiating a Lockdown option, calling 911(or local emergency number), and notifying the Principal or designate should happen as closely together as possible. Responding personnel will have to use individual judgment as to what they can and should do first, keeping in mind that their primary role is taking care of students and staff at risk.

**Evacuation or Lock Down** will be a judgment call on the part of the staff members in various locations of the building. Factors to be considered include:

- The location of the threat;
- The nature of the threat;
- The mobility of the threat;
- A clear means of evacuation that will not cross the path of the threat;
- The ability to secure the room/barricade that is being occupied;
- Alternate means of evacuation;
- The number of students involved;
- Are there victims requiring immediate attention;
- Is the use of violence random or targeted to any one or several individuals?



These are only some considerations. The common sense, judgment and leadership of staff members will determine the appropriate actions to be taken.

### Lockdown / Hold and Secure / Shelter in Place

The person receiving the report of a violent incident initiates the Lockdown procedure as follows:

- Activate all public address (PA) systems (inside and outside)
- Announce clearly and calmly on public address (PA) system whether it is a Lockdown / Hold and Secure / or Shelter in Place
- Upon hearing the announcement, staff will immediately initiate appropriate procedures.
- During this time, occupants will disregard fire alarm system and school bells unless otherwise informed.
- The Lockdown event is in effect until cancelled by the Principal or designate.

### Call 911 (or Local Emergency Number)

The person receiving notification of the violent incident calls 911(or local emergency number) or requests someone to immediately call 911. If you are the only one in the office, you should attempt to initiate the lockdown before calling 911. A call to 911 will initiate assistance from police services, as well as fire and ambulance services if required.

When you call 911, provide the following information:

- Identify yourself, the school name, and full address
- Describe situation (provide all known information)
- Identify whether anyone is injured and the severity of the injuries
- Stay on the line and continue to provide information as requested by the emergency operator
- Explain safe approach (routes/entrance) for police and advise police where they will be met
- Begin to document times and events relating to the incident.

The information that is being documented will greatly assist police services during their response to this incident.

If you haven't already done so, notify the Principal/Vice-Principal or designate of the situation and provide all known information about the incident.

### Lockdown Procedures

Note: Depending on the individual school plan and the situation (location and actions of the suspect) consideration must be given to the controlled evacuation of students to identified secure areas. See Individual School Plan section for details relating to your school.

### Evacuating

All staff and students who evacuate the premises should immediately attend the predetermined evacuation site. Maintaining control of the students is vital. Attendance must be taken and records compared to the daily attendance and class schedules. It is vital to account for as many people as possible. One staff member and an alternate should be assigned the task of gathering any witnesses or persons who can provide information to emergency personnel.

Direct families arriving on-site to pre-designated locations where they can receive information. Have a sign-out sheet to monitor which students have been picked up by their parents/guardians. Do not dismiss students to unknown care. As soon as possible, take a head count to determine which students, staff and teachers are accounted for and which ones are not. To the extent possible, shield students from disturbing scenes. Do not disturb, however, crime scene evidence.

Never speculate. Be sure to understand the circumstances surrounding the situation before saying anything about it, and to the extent practicable, before taking action. Follow all rules about repeating or giving out information.

Other duties at the reception centre should be assigned to staff members not involved in the direct supervision of students. These duties could be pre-assigned with two alternates for each task. They are:

- **Logistics officer** – working with police logistics personnel in obtaining necessities for students;
- **Parent liaison** – assigned to handling parent inquiries at the reception centre;
- **Records manager** – receiving and processing attendance records;
- **Reception area manager** – directing the activities in the reception area, overall control of the students, ensuring that students are divided into homeroom groups and attendance is taken, other duties as necessary.

The Major Incident Commander from the police will coordinate activities on the scene. The Media Liaison Officer from the police will direct and coordinate the handling of the media. Police will make Media releases during the crisis. Releases made upon the conclusion of the crisis will be made after consultation with school authorities. Likewise, school authorities should refrain from making any comment to the media without consultation without the police during or subsequent to an incident.

### Locking Down

The decision to remain in a classroom or location that can be secured and barricaded is an option if the threat is close proximity and no means of safe exit are available. Find an area in the room that affords good protection and place any solid item that may afford protection between you, students and the threat. Police responding to the incident will become aware of your situation and subsequently find you. They should have a master key in order to gain access to the room. Do not open the door unless you are absolutely certain that it does not present a risk to you or others.

## Lockdown

Describes the steps that school staff members take to ensure the safety and security of school occupants during a violent incident. These steps are outlined below. Every attempt should be made to respond quickly and calmly.

### Inside School Building

- During the lockdown phase, staff will focus on taking care of students and ensuring they are directed out of harm's way.
- To implement the lockdown phase, staff direct students to the closest secure area, remain with the students, and, if possible, lock doors to the area.
- Assess whether anyone is injured and the severity of injuries.
- Take appropriate measures to assist the injured without jeopardizing the safety of yourself or others.

### Lockdown Procedures within Classrooms and Portables

- Students are to move away from doors and windows, remain quiet and follow staff/police instructions.
- Individuals are to contact the office ONLY with vital information regarding the violent incident.
- Cell phones are not to be used by staff or students unless communicating vital emergency information (excessive cell phone use in other violent incidents has shut down access to vital communication lines).
- Staff take attendance in class and complete an attendance report.
- Disregard fire alarm system and school bells unless otherwise informed.
- Staff, students and any other occupants are to remain in the secure location until notified by appropriate personnel on what actions to take.
- If a door does not lock, find a way to secure it (door wedge, chair, desks up against it).

### Lockdown Procedures within the Office

- Ensure that the Principal / Vice-Principal or designate is notified.
- Contact police via 911 or a local emergency number.
- Instruct all staff and students to leave hallways and move into secure rooms.
- Have them lock their doors.
- Lock the office to allow for uninterrupted communication with staff.
- Designate a person to remain at the intercom as a communicator.
- Ensure that the intercom is clear for emergency use (and portable radio – if persons are out in the playground with children).

### Outside School Building

Not all students and staff will be inside the building when a violent incident occurs. If you are outside the building, follow the steps listed in the evacuation plan.

## Command and Control

The command and control section is vital during a violent incident.

- Initially command and control will be conducted from the Police Services Communications Centre.
- Police supervisors will monitor and direct the overall response to the incident.
- The Principal or designate will work closely with the police providing required support/information via telephone.
- This plan will go along with the concept of Immediate Rapid Deployment (I.R.D.) training that police have in place for violent incidents. During I.R.D. our mission is to advance to deal solely with the threat as quickly as possible.

Should the violent incident develop into a more prolonged or a barricaded/ hostage type incident then a formal Command Post would be established in a suitable location by the attending police force. The location would be determined at the time of the incident, by the incident commander as there are many different scenarios that the incident may take and police tactics would have to be considered.

In order to assist the police during barricaded/ hostage type incidents, school floor plans are requested from each school. These floor plans will be a valuable tool. During the investigation / response to a violent incident they will include such details as entrances and emergency exits, floor layouts and vital services controls for hydro, water, gas and alarms. Identify in the floor plan any outside obstructions that would hinder the response of an emergency vehicle or personnel.

## Individual School Plans

While it is important to maintain consistency across the Board in terms of emergency response, (it is vital that each school addresses their unique open areas (cafeteria, gymnasium, library, etc.) and off-site evacuation areas.

The following items should be considered on an individual basis:

Evacuation Plan (include a primary & secondary evacuation point)

- Lockdown Plan
- Location of crisis kit (Is there a back-up kit?)
- Specific duties assigned (who updates the kit, who will be at the evacuation site, etc.)
- Forward the most recent individual school plan to your respective school board.
- The principal of each school shall review their individual school plan annually and make appropriate updates.

## Police

Once police arrive on the scene, they have ultimate command of the incident. Staff, students and other occupants must provide full co-operation and follow police direction.

- Police will control access to the school and designated off-site locations.

- Police will assign an officer to the off-site evacuation location to communicate information to staff, students and families.
- Police will direct families arriving on-site to pre-designated, off-site evacuation locations where they can receive information.

### Principal's Role with Police

- The Principal remains primarily responsible for the safety of students and staff.
- The Principal or designate will meet police on arrival and describe the situation (if possible).
- Administration and staff cooperate with police to make appropriate decisions.

### Staff/Student Responsibilities in Assisting Police

#### Crime Scene

- Staff, students and other occupants need to be aware that any site(s) may contain crime scene evidence.
- Avoid unnecessarily tampering with or disturbing evidence.
- To the extent possible, leave all objects exactly as they are in order to protect the crime scene for law enforcement investigations.
- Discourage others from disturbing potential evidence.
- Keep the area isolated.

### Media Response

The police will be responsible for dealing with the media.

### Emergency Contacts

Schools will maintain an up-to-date (reviewed twice a year) emergency contact list and include it in the Violent Incident Emergency Response Quick Reference. This document will be made available to the police force in your area.

|   |  |
|---|--|
| Emergency (Police, Fire, Ambulance)           |  |
| Evacuation Sites (Primary & Secondary)        |  |
| Board Official (including cell phone numbers) |  |
| Bus Company's                                 |  |
| Hospital                                      |  |
| Other numbers                                 |  |

### **Post-violent Incident Follow-up**

Actions taken following violent incidents can have a major impact on the well-being of staff, students and the broader community.

Follow-up procedures may include the following:

- Involving the Board Crisis Response Team to provide counseling for staff and students
- Providing appropriate information to parents, guardians, staff, students and the broader school community regarding the incident
- Debriefing by police of all persons present at the time of the incident
- Coordinating police and school board news releases
- Evaluating the adequacy of the Violent Incident – Emergency Response Plan and making modifications as necessary
- Identifying lessons learned and developing further preventative measures
- Maintaining close contact with any injured victims and families
- Maintaining close co-operation with police services to facilitate completion of investigations
- Completing all necessary legal, insurance and administrative forms and documents as required.