



PROCEDURE 380	
Adopted	October 6, 2008
Last Revised	June 10, 2010
Review Date	June 10, 2010

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## DEALING WITH VIOLENT STUDENT INCIDENTS

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### 1. PURPOSE

The director of education is dedicated to maintaining a safe environment in all schools and sites. The system administrative team actively seeks to cultivate environments that exemplify a welcoming learning community and that are, at the same time, orderly and civil and allow students and staff members to address the purposeful work before them.

The director has developed this administrative procedure to support violence prevention and provide protective measures for students and staff members subject to violence in schools.

It is expected that ongoing supervision, progressive discipline, and safety audits shall be part of the regular routine to maintain positive school and work environments.

Students who use violence to resolve their differences and to harm and intimidate others will be dealt with in accordance with administrative procedures, board policy and the board's police protocol. When addressing the behavior of students with special needs, mitigating factors must be considered before determining consequences. Behaviour which threatens the safety and security of students and staff members will not be condoned and addressed in an appropriate manner.

It is the expectation of the director of education that the principal will deal with all violent incidents that occur both on and off school property during school hours and on the way to and from schools.

### 2. DEFINITIONS

**Violent Incident**—A violent incident is any physical assault, physically threatening behaviour or verbal threat of physical assault directed towards a student or staff member of the district that occurred on board property, at a board-sponsored event or via electronic communication.

**Mitigating Factors** - when a determining consequences for inappropriate behavior, a principal must consider whether:

- a) the student has the ability to control his or her behaviour,
- b) the student has the ability to understand the foreseeable consequences of his or her behaviour, and
- c) the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at he school.

If a student does not have the ability to control his or her behavior or does not understand the

foreseeable consequences of his or her behavior, the principal shall not suspend the student as a disciplinary measure.

### 3. STUDENTS UNDER TWELVE

For students under the age of twelve years, each individual violent incident shall be judged on its own merits by the principal. There may be a decision to report to the police or the Children's Aid Society.

### 4. VIOLENT INCIDENT CATEGORIES TO REPORT

For students twelve years of age and older, the following categories of serious violent incidents must be reported to the appropriate superintendent and to the police. The superintendent will report the incident to the director.

- a) possession of a weapon (any object could be a weapon if designed as, or used as, a weapon);
- b) a threat of serious physical injury;
- c) physical assault causing serious bodily harm;
- d) sexual assault;
- e) robbery and/or extortion;
- f) hate-motivated violence (such as incidents involving racism, homophobia);
- g) vandalism causing extensive damage to school property or property located on school premises.

**Note:** Regardless of the age of the student, if the principal determines a situation to be a serious violent incident, a report must be made to the director of education and to the police.

### 5. INCIDENTS NOT REPORTED TO THE SUPERINTENDENT/DIRECTOR

The principal shall also keep records in the school of all other violent incidents which are not required to be reported to the superintendent, director or to the police. Such incidents could include:

- a) physical assaults/fights that do not result in serious bodily harm;
- b) racial and ethnocultural harassment;
- c) sexual harassment;
- d) preparation and/or distribution of hate literature;
- e) acts of vandalism; and
- f) other incidents where the principal perceives the incident was violent in nature

### 6. VIOLENT INCIDENT FACTORS

When investigating incidents the principal shall consider the following factors:

- a) the type of incident;
- b) all the facts, circumstances, mitigating factor and individuals involved, including a consideration of any special needs of those individuals;
- c) the degree of harm caused to the victim/staff and/or school community;
- d) the age of the individuals involved;
- e) consistency with procedures for recording and reporting violent incidents;
- f) the underlying causes of the violence;
- g) the repeated occurrence of violent incidents;

- h) support to the victim(s), witnesses, and the school community, including the treatment of the victim with support and respect;
- i) the decision regarding when and how to involve parents or guardians, a superintendent, and external agencies, including the police; and
- j) the consequences for the perpetrator (including exclusion from the regular classroom, suspension, expulsion, alternative programs, community service, restitution, restorative justice, as well as participation in rehabilitation programs which may involve other agencies.

## 7. CRISIS INTERVENTION PLAN

Crisis intervention training is an important component of the response to incidents involving violence and situations that could lead to violence. Each school will have a crisis intervention plan in place.

That plan should consider:

- a) team members;
- b) role of team members;
- c) response protocols
- d) emergency response contact numbers
- e) communication protocols
- f) team members trained in first aid

The plan will be reflective on the board and community's Threat/Risk Assessment Protocol.

## 8. SUPPORT PROGRAMS

- 8.1 Support will be provided to those in a violent incident through the provision of appropriate services and programs. Counselling, conflict resolution, peer mediation, restorative practice programs in addition to connections with outside agencies are important parts of on-going school efforts to deal with violent or potentially violent situations.
- 8.2 The principal will inform the victim or victim's family, as well as perpetrator of the school, system and community based support services available, and will assist in accessing those services.
- 8.3 If the victim or perpetrator of a violent incident is a student, consideration will be made regarding the appropriate educational program or placement of the student, as determined by the principal and superintendent.
- 8.4 If the victim or perpetrator is a student with special needs and mitigating circumstances apply, the principal will work with the school's resource team and system support personnel to address appropriate individual education plans, safety plans and response plans.

## 9. GENERAL GUIDELINES

- 9.1 Fairness, reasonableness, firmness, and sensitivity will be the criteria used when applying the procedures.
- 9.2 If the infraction is one for which a suspension or expulsion may be imposed, the principal must consult Administrative Procedure 378 Student Discipline: Suspension or Administrative Procedure 379 Student Discipline: Expulsion. The principal must consider any mitigating or other factors that might have influenced the student's behaviour.

- 9.3 The principal will consult Administrative Procedure 393 Police Protocol for direction about the involvement of police services.

#### **10. POLICE INVOLVEMENT**

- 10.1 The school may contact police services based upon circumstances in evidence at the school. When a violent incident is reported to the police, the parent/guardian must be contacted with the least possible delay.
- 10.2 If the parent/guardian or emergency contact is unavailable, another adult, chosen by the student, should be contacted (Students of age 12 can name another adult if desired). However, a call to the police should not be delayed because of the unavailability of a parent/guardian or other adult. If a student is 18 years of age, he or she is considered to be an adult and the parent will not be contacted.

#### **11. DOCUMENTATION**

- 11.1 When completing Section A of Form F380-1 Violent Incident Report, the description should include the details of the violent incident, and any injuries or damage to person or property. It may also include effects on the school environment and any steps taken in response to the incident.
- 11.2 Form F380-1 Violent Incident Report and related suspension letter must be placed in the student's Ontario School Record (OSR). No copy of the Violent Incident Report is to be forwarded to the superintendent or director.
- 11.3 The parent or adult student shall be notified in the suspension letter of the Violent Incident Report documentation in the OSR.

#### **12. REMOVAL OF INFORMATION FROM OSR**

- 12.1 The information relating to suspension for violent behaviour will not be removed from the student's OSR unless three consecutive years have passed during which no further suspensions for serious violent incidents have taken place. If three consecutive years have passed during which no further suspensions for violent incidents have taken place, the Violent Incident Report shall be removed.
- 12.2 The Information relating to expulsion shall be removed five years after the date on which the school board expelled the student.
- 12.3 Where an expelled student has been readmitted to school by a school board, and is expelled again, the information relating to the expulsions shall not be removed from the OSR until five consecutive years have passed without any further expulsion.

#### **13. TRANSFER OF OSR**

- 13.1 If the student transfers to another school, the information in the OSR relating to the serious violent incident that led to suspension or expulsion, as well as to a report to the police, will remain in the OSR unless removed under section 12 above.
- 13.2 The transfer will occur in accordance with Section 6 of the Guideline OSR—Ontario Student Record.

**Legal References:**

- *Education Act, section 265 Duties of Principal: Discipline; Part XIII Behaviour, Discipline and Safety*
- Ministry of Education Violence-Free Schools Policy, 1994
- Ontario Regulation 472/07 Suspension and Expulsion of Pupils: Mitigating and Other Factors
- Guideline OSR—Ontario Student Record

**District References:**

- Administrative Procedure 145: District Code of Conduct and School Codes of Conduct
- Administrative Procedure 312: Ontario Student Record (OSR)
- Administrative Procedure 378: Student Discipline, Bullying Prevention And Intervention
- Administrative Procedure 379: Behaviour Management/Safety Plan
- Administrative Procedure 382: Administration of Physical Restraint
- Administrative Procedure 393: Police Protocol
- Administrative Procedure 421: Safe Workplace – Violence in the Workplace
- Administrative Procedure 422: Safe Workplace – Workplace Harassment
- Form F380-1 Violent Incident Report