

Police – School Protocol For Windsor- Essex County 2023



The following document is a procedural Protocol directly modeled from the Provincial Model for Local Police/School Board Protocol 2015.

The original document, Provincial Model for a Local Police/ School Board Protocol, can be found on the Ministry of Education's website at

www.ontario.ca/education

Acknowledgements

2023-2024 POLICE/SCHOOL BOARD COMMITTEE

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Shelly Duben (Superintendent)
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Constable Ron Grossett - Windsor Police Service
Constable Tracy Swystun - Windsor Police Service
Constable Nigel Ramcharan - Windsor Police Service
Constable Katherine Burt – O.P.P.
Constable Terry Seguin - LaSalle Police Service
Sergeant Andy Drouillard - Windsor Police Services

**REQUIRED ELEMENTS FOR A LOCAL
POLICE/SCHOOL BOARD PROTOCOL
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2023 SIGNATORIES OF THE POLICE AND EDUCATION LIAISON PROTOCOL:



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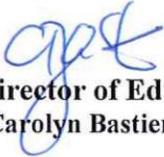


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**LaSalle Police Service Board Chair
(Crystal Meloche)**

LaSalle Police Services Board Chair
(Crystal Melche)

Windsor Police Services Board Chair
(Mayor Drew Dilkens)

Windsor Police Service Board Chair
(Mayor Drew Dilkens)

2. STATEMENT OF PRINCIPLES

The Greater Essex County District School Board, Windsor-Essex Catholic District School Board, Conseil scolaire catholique Providence, Conseil scolaire Viamonde hereafter referred to as the school boards, are committed to excellence in education. This excellence requires a safe, stimulating, caring, and welcoming environment that is free from conduct that is injurious to the dignity, self-esteem and well-being of all persons. In order to achieve this environment, the school boards, along with the local police services and other community agencies, promote comprehensive programs and services to provide a safe school environment and promote student well-being by collecting and using input to drive decision making.

We acknowledge that police presence may cause fear and discomfort for some students and staff because of their lived experience. This reality will be respected and the necessary steps taken to not cause further harm.

Developed by police personnel and school administrators, this document provides direction when police involvement is required in a school setting. Furthermore, the terms of agreement are based on the following guiding principles:

- the need to have a clear understanding of the police and school responsibilities;
- the need to promote respect and civility in the school environment;
- the need to respect the fundamental rights of students, teachers, and staff pertaining to all prohibited grounds of discrimination under the *Ontario Human Rights Code*;
- the need to support both rights and responsibilities.

This document outlines the common principles, the varied resources, and certain obligations and procedures that are required by provincial and federal legislation, including, but not limited to:

- 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, Youth and Family Services Act
- Personal Health Information Protection Act, 2004
- Education Act /
- Anti-racism Act
- Safe and Accepting Schools policy and procedures, and
- Equity and Inclusive Education policy and procedures
- Anti-sex trafficking Protocol
- Case law

CAVEAT: While the intention of the protocol is for police and school officials to work in cooperation, they may have separate duties and responsibilities with respect to interviewing students involved in criminal activities. In these circumstances, police and school officials review their respective policies and procedures for guidance.

3. INTRODUCTION

The existence of the Police and Education Liaison Committee in Windsor and Essex County is long standing. This committee is made up of Windsor/Essex County Police Officials and Education Administrators from the Greater Essex County District School Board, Windsor-Essex Catholic District School Board and Conseil scolaire catholique Providence, Conseil scolaire Viamonde.

In collaboration, the following protocol was developed for the following purposes:

- to assist in the greater safety and protection of students, teachers, principals, staff and volunteers in schools;
- to encourage constructive, ongoing, adaptive, and responsive partnerships between police and the school community;
- to facilitate appropriate sharing and disclosure of information in accordance with privacy laws, including FIPPA and MFIPPA;
- to promote joint consultation and partnerships between school boards and police services on maintaining a safe school environment;
- to ensure that the obligations and requirements of both the education and police systems are met; and

to ensure an equitable and consistent approach across a school board's jurisdiction in the way police and schools respond to a school-related occurrence.

to reinforce the importance of a coordinated and multifaceted approach on the part of schools and police in their interactions with parents and the community, in an effort to promote the well-being of students.

to promote relationship building between students and police, police and educators

The committee's mandate has evolved to include providing a forum for emergent safe schools issues and to provide for ongoing professional development current to both school administrators and police officers. The emergence of *Bill 81 (The Safe Schools Act)* has formalized the existence of this committee in legislation. The structure of the committee and secession of the chair is directed by the participating members. This protocol is the result of a cooperative effort on the part of all members of the committee.

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.*

Local police services share the resolve and commitment of the wider community in a variety of capacities. Roles and responsibilities include:

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

diverting young people away from crime and antisocial behaviour;
working in partnership with other government and community-based
organizations to support positive youth development;
supporting a school environment in which conflict and
differences are addressed respectfully and in a civil manner; and
responding to incidents as they occur in a manner that respects the rights
of victims and witnesses, as well as those of alleged perpetrators.

5. ROLE AND MANDATE OF POLICE SCHOOL RESOURCE OFFICER

Police play an important role in the school community. Their involvement goes far beyond simply responding to incidents. The National Association of School Resource Officers provides an insight into the valuable resource that police add to a school community in relation to non-incident-related roles.

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.

HIGH SCHOOL RESOURCE - COMMUNITY SAFETY OFFICER ROLES WITHIN SCHOOLS

working with and in the community to build relationships and represent
police in a professional and positive manner
operate with knowledge of all relevant police and school boards' policies
and procedures
improve partnerships with schools, students, parents and the community at
large by having a commitment to engagement and education
on-going collaboration with school partners to provide flexible information
and support, via established programs (VIP), topics addressed upon school
request,
and development of new material at school boards' request
acquire VTRA training (Violent Threat Risk Assessment) to assist, when
asked, in consultation meeting about students
participate in school/parent/student meetings if requested

participate in school assemblies as requested

participate in ad hoc activities as requested – volleyball game, hot dog day, etc

be available to teachers, vice principals and principals for phone consultation
be available to speak to a student at their request, with knowledge of school, and/or parents, depending on age of student

share information with schools – bring trending issues to light if not already on school radar – joint problem-solving

Police offer support to our schools in the following ways (in consultation with school boards and individual schools):

- VIP- Values, Influences and Peers (Grade 6)
- Show & Tell or Career days
- Take Your Kid to Work days
- Co-operative Education placements
- Presentations for students, staff and parents on various topics including, but not limited to:
 - Drug awareness
 - Raves and ecstasy
 - Graffiti
 - Bullying and Cyberbullying
 - Other topics as identified by the need of the school community
 - allyship
- Police officers are assigned to each school in Windsor- Essex County
 - Presentations in Law, Family Studies, History, Careers/Civics, and Health classes
 - Available for consultation
 - Crime Stoppers education
 - Promoting positive mental health and reducing the stigma associated with mental health issues
 - Windsor Police Services PEACE (Police Education and Cultural education)

A coordinated and multifaceted approach is required to prevent school violence. Police services work in partnership with schools and other community agencies to administer a variety of programs.

Working from a crime-prevention perspective, police play an important role in the school community, which presents extensive opportunities for employing strategies of “crime prevention through social development” (CPSD). CPSD involves preventing and reducing crime by identifying and addressing risk factors associated with crime and victimization.

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.

6. ROLE AND MANDATE OF OUR SCHOOL BOARDS

In cases of exigent circumstances, the police will assume primary responsibility as may be necessary to ensure school safety. The school boards, together with principals, teachers, and school staff are committed to ensuring and maintaining safe and secure schools. School boards are empowered to serve in specific roles bearing certain responsibilities as are required in provincial legislation and Board policies such as:

the requirements related to the duties of principals and teachers under the *Education Act* and regulations (Duties of Teachers - Section 264, also R.R.O. 1990, Reg. 298, s. 20; Duties of Principal - Section 265, also R.R.O. 1990, Reg. 298, s. 11)

complying with the requirements legislated under the *Child, Youth and Family Services Act* (e.g., Duty to report - Section 72. (1)-(5b) administering school-related disciplinary actions (e.g., suspensions and expulsions - Bill 212, the *Education Amendment Act, (Progressive Discipline and School Safety Act, 2007* Sections 306-314)

developing a code of conduct, as required under the *Safe Schools Act, 2000* - Sections 301-302

In-servicing and professional development will take place in an ongoing fashion. This will lead to improvements and implementation of the following positive practices:

- ensuring that resources (e.g., drug awareness, conflict resolution, internet safety) are accessible to assist school staff in the promotion of crime prevention;
- developing policies on how to respond to crises, including a media plan and communication plan;
- ensuring that appropriate prevention and intervention strategies are available;
 - providing staff with opportunities for acquiring the skills necessary to promote safe school environments and inclusive school environments;
 - developing an effective consultation mechanism for soliciting input from staff, students, parents, school councils and other concerned parties, such as special education advisory committees, in the development of local protocols;
- facilitating appropriate sharing and disclosure of information;
 - ensuring a consistent approach across a school board's jurisdiction in the way police and schools respond to a school related occurrence;
 - clearly explaining the board's code of conduct to students and their families, including details on the reach of school discipline with respect to behaviours taking place outside of school that have a negative impact on the school climate;
 - complying with the *Education Act* as it relates to the duties of administrators and staff; and
 - complying with the requirements of the *Child , Youth and Family Services Act*.

7. ROLE AND MANDATE OF THE PRINCIPAL

The role of the principal is to maintain, in accordance with the requirements of relevant legislation and Board Policies, a safe, orderly learning and working environment for students, staff and others who are lawfully on school property. As part of that role, the principal:

- acts in *loco parentis* to the students of the school;
- implements safe schools and violence prevention policies and procedures; and
- communicates awareness of policies and procedures to staff, students, parents, and school communities.

8. DEFINITIONS/EXPLANATIONS OF TERMS

A glossary is provided of terms and definitions that are important to assist those who will be administering local protocols. (Refer to **Appendix A**)

9. OCCURRENCES REQUIRING POLICE RESPONSE

It is the duty of the principal to maintain order and discipline in the school. The following reporting guidelines should be followed by the principal or designate.

The following incidents require mandatory reporting to police (for students under the age of 12, refer to section 15). 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

At a minimum, the police must be notified of the following types of incidents:

- all deaths (connected to school activities);
- physical assault causing bodily harm requiring medical attention;
- sexual assault*;
- robbery*;
- criminal harassment*;
- relationship-based violence*;
- possessing a weapon, including possessing a firearm;
- using a weapon to cause or threaten bodily harm to another person;
- human (sex) trafficking
- trafficking in weapons or in drugs; possessing an illegal drug;
- extreme hate and/or bias-motivated occurrences ;
- gang-related occurrences*;
- extortion; and *
- bomb threat;

- non-consensual sharing of intimate images*.

Discretionary Notification of Police

Police response may also be needed in connection with the following types of incidents:

- giving alcohol, cannabis or illegal drugs to a minor;
- being under the influence of alcohol or cannabis (unless the student is an approved medical cannabis user) or illegal drugs;
- threats* of serious physical injury, including threats made on social networking sites or through instant messaging, text messaging, email, and so on;
- incidents of vandalism; and
- trespassing incidents.

Principals should consider mitigating and other factors when deciding whether to call the police in these discretionary situations. 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. When in doubt, contact your police service and/or supervisory officer, especially when dealing with students who may have special needs, or the situation may have mitigating or extenuating circumstances.

For students with special education needs, school boards should identify circumstances where a police response is neither necessary nor appropriate. Refer to Section 15 for further information on dealing with students with special education needs.

10. INFORMATION SHARING AND DISCLOSURE

School authorities and police officers are reminded of the sensitive balance created by legislation involving minors. They are encouraged to follow specific procedures and abide by their legal obligations surrounding the sharing of information and its proper disclosure required under legislation. The federal legislation is contained within the *Criminal Code* and *Youth Criminal Justice Act*, while provincial legislation is found in the *Child, Youth and Family Services Act*, *Municipal Freedom of Information and Protection of Privacy Act*, (MFIPPA) and the

Education Act. In situations where federal and provincial law are in conflict, the federal legislation takes precedence.

a) Criminal Code

Police:

The police can only gain access to a student's Ontario Student Record (OSR) by:
warrant or subpoena;

- written consent of a parent or legal guardian of student under 18;
- written consent of the student who is 18 years of age or older;
- without a warrant in exigent circumstances (i.e. imminent danger to students/teachers)

b) Youth Criminal Justice Act

Police:

There may be occasions when it is necessary for police to share confidential information with school officials. Officers are not allowed to share any information regarding a young offender with school officials unless it meets the criteria under 125(6) of the *YCJA* (below).

The following subsections of Part 6 are of particular relevance for police and 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 offense 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 119 gives authority to persons to access a youth record school authorities are NOT mentioned;
- 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.**

Persons having access to records (excerpt has been modified/shortened)

119. (1) Subject to subsections (4) to (6), from the date that a record is created until the end of the applicable period set out in subsection (2), the following persons, on request, shall be given access to a record kept under section 114, and may be given access to a record kept under sections 115 and 116:

- (a) the young person to whom the record relates;
- (b) the young person's counsel, or any representative of that counsel;
- (c) the Attorney General;
- (d) the victim of the offence or alleged offence to which the record relates; (e) the parents of the young person;
- (f) any adult assisting the young person;
- (g) any peace officer for: law enforcement purposes, or purpose related to the administration of the case to which the record relates, during the course of proceedings against the young person or the term of the youth sentence;
- (h) a judge, court or review board, for any purpose relating to proceedings against the young person, or proceedings against the person after he or she becomes an adult, in respect of offences committed or alleged to have been committed by that person;
- (i) the provincial director, or the director of the provincial correctional facility;
- (j) a person participating in a conference or in the administration of extrajudicial measures, if required for the administration of the case to which the record relates;
- (k) a person acting as ombudsman, privacy or information commissioner; (l) a coroner or a person acting as a child advocate;
- (m) a person acting under the Firearms Act;
- (n) a member of a department or agency of a government in Canada; (o) a person, for the purpose of carrying out a criminal record check;
- (p) an employee or agent of the Government of Canada under the Statistics Act;
- (q) an accused or his or her counsel to make a full answer and defense;
- (r) a person or a member of a class of persons designated by order of the Governor in Council, or the lieutenant governor in council of the appropriate province; and
- (s) any person or member of a class of persons that a youth justice court judge considers has a valid interest in the record, to the extent directed by the judge, if the judge is satisfied that access to the record is
 - (i) desirable in the public interest for research or statistical purposes, or
 - (ii) desirable in the interest of the proper administration of justice.

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*:

32(g) “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”.

Further information regarding the release of students’ personal information can be found in the office of 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

Police/Principals:

Police and principals need to be aware of the legislative authorities regarding the disclosure of personal or sensitive information as it relates to young persons. The school can release information if it will “aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.” Police may also share limited information about a young person in an investigation that will assist in a decision to suspend or expel by the principal.

This should be done on a case-by-case basis in a consultative process between the principal and the officer in charge. If there is any doubt on whether the information should be shared, it is recommended to seek direction from Freedom of Information personnel in each respective organization. In other instances, consent may be given by a parent/guardian to share further information. Adhere to board policy.

d) Child, Youth and Family Services

Act Police/Principal:

School principals and teachers must co-operate fully with the investigations initiated by Children’s Aid Societies. Furthermore, they must be aware of all the legal requirements to report cases where they have reasonable grounds to suspect a child is in need of protection, with or without definitive proof. Recent legislation makes it very clear that it is the professional’s duty to report to a children’s aid society those children who are suspected to be in need of protection (under s. 72[1] of the *Act*).

There is no liability against a person who reports a child in need of protection, unless reporting is done maliciously or without reasonable grounds.

This requirement overrides the provisions of any other provincial statute that may prohibit disclosure. Information should be shared in a manner that respects the

vulnerabilities of children who may be in need of protection. The *Youth Criminal Justice Act* (in s. 35) also outlines the authority to refer a young person to a child welfare agency to determine whether the youth is in need of child welfare services.

CFSA 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 one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.
4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3.
5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
6. The child has suffered emotional harm, demonstrated by serious,
 - i. anxiety,
 - ii. depression,
 - iii. withdrawal,
 - iv. self-destructive or aggressive behaviour, or
 - v. delayed development,and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
7. The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.
8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.

9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and that the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.

10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child’s development and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition.

11. The child has been abandoned, the child’s parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child’s care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child’s care and custody.

12. The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person’s property, services or treatment are necessary to prevent a recurrence and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment.

13. The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person’s property, with the encouragement of the person having charge of the child or because of that person’s failure or inability to supervise the child adequately. 1999, c. 2, s. 22 (1).

11. SCHOOL PROCEDURES FOR REPORTING TO POLICE

The procedures for reporting incidents in a school are outlined in **Appendix E**, Procedures for Police Involvement in the School (formerly known as Police Protocol), under Initiation, Arrival and Interview. The procedures for reporting an imminent threat to the safety of students and/or staff is found in the Emergency Response Manual and Quick Reference Guide. The procedure for reporting incidents to the school board is also in the Emergency Response Binder - Critical Incident Reporting form.

Police Detachments: Points of Contact

<u>Area</u>	<u>Non-Emergency Contact</u>	<u>Station/ Detachment</u>	<u>Emergency</u>
Windsor Police Service- Amherstburg Detachment 532 Sandwich St. South	519-736-3622	519-736-8559	911
Essex OPP Detachment 44 King St. East, Harrow	1-888-310-1122	519-738-3796	911

Essex County OPP 1219 Hicks Road, Lakeshore	1-888-310-1122	519-723-2491	911
LaSalle Police Service 1880 Normandy Street	519-969-5210		911
Leamington OPP Detachment 7 Clark Street West	1-888-310-1122	519-326-2544	911
Ontario Provincial Police	1-888-310-1122		911
Kingsville O.P.P. Detachment 41 Division Road South, Kingsville	1-888-310-1122	519-733-2345	911
Lakeshore O.P.P. Detachment 775 Notre Dame, Belle River	1-888-310-1122	519-728-1810	911
Tecumseh O.P.P. Detachment 963 Lesperance Road, Tecumseh	1-888-310-1122	519-735-2424	911
Windsor Police Service 150 Goyeau Street	519-258-6111	519-255-6173	911
	Secondary Schools should contact their HROs for non-emergency dispatch.		
Windsor/Essex County Children's Aid Society	519-252-1171		

If the situation is an emergency, directly call 911. Do not hesitate to call 911 for any life threatening activity, fire or the need for an ambulance. Let the police dispatcher decide on the appropriate course of action. Call the non-emergency number if you are unsure and the police dispatcher will decide about the urgency of police response.

Be prepared to discuss:

- Police/Fire/ Emergency
- What happened (to the best of your ability)?
- When did it occur?
- Where did it occur?
- Who is involved?

BE CALM. While these emergencies necessitate action, the police need administrators to keep a cool head.

If any form of child abuse is suspected:

Call the Windsor/Essex County Children's Aid 519-252-1171 (24 hour service).

As a reminder, the principal, vice-principal, or his/her designate would normally be the person to contact the police. However, when necessary, any employee of the Board may contact the appropriate Police Service for assistance.

A log should be maintained of police contacts by the principal

indicating applicable information:

1. the date
2. the officer responding, badge number, Police Incident Number (Case Number)
3. reason for visit

12. INITIAL POLICE CONTACT

See **Appendix E** Procedures for Police Involvement in the School (formerly Police Protocol) - under Initiation - Arrival – Interview.

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 responding officer shall upon arrival to school:

- report to the principal/principal’s designate, 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 (example: regarding accommodation needs or barriers to communication before making contact with the student); and
- if appropriate, contact or make arrangements with the principal/principal’s designate to contact, parents/legal guardians of students under the age of 18.

In the event that the principal/principal’s designate is under investigation, the police officer in consultation with his/her superior officer will contact the director of education, or his/her designate, before proceeding with the investigation in the school building.

13. SCHOOL & POLICE INVESTIGATION OF INCIDENTS

The police and the school boards believe that students have the right to pursue their educational goals in an atmosphere of safety and security. In order to effectively deliver their mandate, staff must be assured of a safe working environment. Accordingly, school boards, parents and students also expect that the police will appropriately deal with criminal behaviour on school property. Communication among parents, students, the school and police regarding the implementation or clarification of any procedure or of the respective roles and responsibilities is encouraged. In the interest of preserving school safety and security, the school board and school administrators are encouraged to work cooperatively with police in police investigations. Parents or guardians must be partners in any process involving their sons/daughters and the police.

The legislation and regulations with which police must comply when conducting investigations in schools, include, but are not limited to, the *Youth Criminal Justice Act*, the *Criminal Code*, the *Canadian Charter of Rights and Freedoms*, the *Provincial Offences Act* (specifically Part VI of the *Youth Criminal Justice Act*), the *Municipal Freedom of Information and Protection of Privacy Act*, and the *Freedom of Information and Protection of Privacy Act, Child, Youth and Family Services Act*.

Educators may not be conversant with all of the legal requirements with which police must comply and the procedures police must follow when investigating incidents that involve students as alleged perpetrators, victims, or witnesses. It is strongly encouraged that the school administrator or representatives coordinate and collaborate at the commencement of the investigation to clarify their respective roles and responsibilities. These may change slightly depending on the nature and severity of the incident. Notifications to parents or guardians should be coordinated by police and school officials. There may be a need to share information during the investigation based on provisions contained within the *Education Act* and *MFIPPA*. The principal has a 20 school day timeline that must be met for a school board to decide to expel a student. Any questions should be forwarded to the respective police service or the superintendent of education. Police investigations should be undertaken in accordance with the local police service's criminal investigations management plan and, where required, with the *Ontario Major Case Management Manual*.

a) Legal Rights

In the investigation of school-related incidents committed by young persons, particular attention should be given 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*);
- protection of privacy (s.110, *Youth Criminal Justice Act*); and
- admissibility of statements (s.146, *Youth Criminal Justice Act*).

In addition to these provisions, relevant provisions under the *Charter of Rights and Freedoms, the Child, Youth and Family Services Act, and the Freedom of Information and Protection of Privacy Act* should also be included.

b) Search and Seizure

Police services may conduct a search independently of the principal/designate upon the production of the appropriate search warrant or other legal authority.

The Canadian Charter of Rights and Freedoms (Section 8) states that “Everyone has the right to be secure against unreasonable search and seizure”.

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

The principal or vice-principal must advise the students and staff 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 their possessions in carrying out his or her their duties to maintain order and discipline in the school.

- any search by the police, shall be conducted in accordance with relevant federal and provincial legislation.
- the police will notify the principal before conducting searches on school premises. (Under some exigent circumstances, police may execute a search without a warrant and without notice to the principal).

- the continuing responsibility of the principal for students even when police are on school premises

Police:

Police should consult and meet with the principal or designate in all situations unless there is an exigent circumstance that requires them to NOT notify the principal. Police shall respect the fact that the principal or designate has control of the staff and students' safety and security. Police shall allow the principal or designate to be present in searches on school premises unless there is a safety issue for the school official.

Police shall NOT use the principal or his/her designate to conduct searches for police as the courts have ruled such searches to be unconstitutional. This would cause the principal to be deemed an AGENT for the police and thus giving up his/her lawful authority to act in his/her principal capacity under the *Education Act* and *Safe Schools Act*.

Principal:

Principals are responsible for and expected to maintain proper order and discipline at their school.

When the principal has reasonable grounds to believe that there has been a breach of school regulations or rules, or a risk to the safety of students or staff, it may be necessary to perform a search of a student or a particular area of the school. **FOLLOW BOARD PROTOCOL.** Search authority exists in common law and has been upheld by the Supreme Court of Canada. (See attached **Appendix F**)

It is encouraged that school boards spell out their authority to search students and lockers etc. in student handbooks, notifying the students of their roles and responsibilities in ensuring school safety.

a) **Detention and Arrest** - see protocol **Appendix E** for arrest.

Police:

- Generally the police will be responsible for the arrest and detention of students at the school. If an arrest is made at school during school hours, there is a shared responsibility to ensure that the parent/guardian is notified.

- Police investigations should be undertaken in accordance with the local police service's policies as they relate to arrest and search and seizure. In some exigent circumstances, the police may request that the principal or designate NOT contact the parent or guardian, but this would be a very rare circumstance.
- Police will follow the procedures contained in **Appendix E**. The officer in charge will ensure that the principal is kept apprised of the ongoing investigation and advise him or her when it is completed.
- Police will also ensure that the proper notice to parents is addressed if charges and or cautions are issued to the young person under the *YCJA*.
- It is the officer's responsibility to answer any questions that the parents may have in relation to the criminal investigation and this should be done in a timely manner.

Principal:

- The principal will be responsible for notifying the parents in situations where suspensions or possible expulsion results from a school incident.
- The principal will then deal with the student under the *Safe Schools Act* or *Education Act* as the case may be.
- When police are on school premises the principal continues to be responsible for the students.

b) Support for Victims

Where police are required to attend the school for an incident involving a victim of crime, they shall follow their local service procedures for Victim Assistance. This may include contacting Victim Services for immediate response to a safe area of the scene to deal with the victim(s). Depending upon the seriousness of the incident, the school administrators, at their discretion and based upon board protocol, may call upon the board psychologist for immediate and/or long-term assistance.

Police and school administrators in consultation will assist Victim Services personnel, board psychologists, social workers, child and youth workers, and the crisis response team.

The following types of incidents may warrant a response by Victim Services:

- homicide

- suicide or sudden death
- assault or harassment
- sexual assault
- human trafficking
- accidents - fire – disaster
- or any other traumatic incidents that could impact the safety and well-being of students or deemed necessary (i.e. bomb threats)

The principal is obligated to inform the parents of victims who have been harmed as a result of an activity for which a discretionary or mandatory suspension or possible expulsion are considered unless, in the principal’s opinion, doing so would put the victim at risk of harm from the parent(s) (Education Act, s. 300.3(1), O.Reg. 472/07), and Bill 157.

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 (i.e., public health units, community agencies, Help Phone lines). Advising victims of the services available shall be a shared responsibility between police and school administrators.

Procedures for information sharing and community referrals shall be in keeping with current and relevant legislation governing confidentiality.

14. POLICE INTERVIEWS OF STUDENTS

The procedure to be followed in police interviews of students on school premises are outlined in protocol **Appendix E** - see Interview.

The local children’s aid society may be involved in a joint interview if the child is suspected to be in need of protection:

Principals:

Principals are responsible to ensure the following:

- to make best efforts to contact parents as soon as possible before the interview (see also section 12(a), “Notification of Parents”);
- the requirement that a parent/legal guardian, third-party adult, or the principal, if no alternative is available, be present when students

under the age of 18 are being interviewed at school; and the need for school personnel to assist police in making the required preparations (e.g., securing a quiet room and establishing a time for the interview).

Police:

Police are responsible to ensure the following:

- the requirement, in cases where a student aged 12 to 17 waives the right to have an adult present at the interview, that the police and the principal consider the most appropriate location for conducting the interview and take steps to ensure that the student's rights are respected during the interview (under the age of 16 should not be interviewed if he or she is accused);
- determining the most appropriate time and place to conduct a student interview;
- conducting interviews related to criminal investigations of incidents that involve students as alleged perpetrators, victims, or witnesses;
- procedures for police to follow in requesting permission to conduct interviews on school premises;
- procedures for including the local children's aid society (CAS) in a joint interview if the child is suspected to be in need of protection;
- roles and responsibilities of police in interviewing students, as set out in the local police service's procedures for interviewing witnesses, victims, and suspects;
- the need for police to consult with the principal to consider alternatives for conducting interviews at a location other than the school; and
- the need for police to act in a manner that respects the dignity of the student and minimizes disruption to the school when it is necessary to interview, search, or arrest a student at school during school hours.

a) Notification of Parents/Legal Guardians

Except in exigent circumstances, it is the principal's responsibility to contact parents of:

- victims who have been harmed as the result of an activity for which suspension or expulsion must be considered, unless, in the principal's opinion, notification of the parents would put the student at risk of being harmed by the parents. If that is the case, the parents must not be contacted (*Education Act*, s. 300.3(3));
- students receiving a suspension (*Education Act*, s. 311);
- all other students being interviewed by police during an investigation, except:

- if the principal is otherwise directed by police because of exigent circumstances or where the police believe the parent may be implicated;
- if the student is 18 years of age or older (unless the student consents to or requests such contact or is incapable of providing consent); or if the student is 16 or 17 years of age and has withdrawn from parental control (unless the student consents to or requests such contact or is incapable of providing consent). Police have to serve notice to parents

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

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

b) Preparation for Interviews

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

- determining whether circumstances allow for the interview to be conducted at the student's home or another location rather than at school, in view of the stigma and the potential impact on the student;
- evaluating the need for specialized resources where a student is known to have mental health needs or special education needs (see section 14);
- determining the methodology of the interview;
- deciding which officer will take the lead in conducting the interview, if more than one officer is interviewing;
- arranging for the audio/videotaping of interviews and statements, and meeting the requirement for police to inform the interviewee that the conversation is being recorded. (Police should make attempt to go to headquarters.); and
- determining the need for an interpreter (e.g., a language interpreter, an interpreter for a student who is deaf or hard of hearing) and/or for information to be provided in an alternative format (e.g., Braille for a student who is blind or has low vision).

c) Conduct of Interviews

Procedures and considerations related to conducting interviews include the following:

- the need for police officers to employ appropriate techniques when interviewing children and young persons;
- the requirement that police follow the *Guide to Officers for Section 146 Youth Criminal Justice Act Statements* (see **Appendix D**);
- the requirement that police provide, upon arrest or detention, a legal caution and notification of the right to counsel where there are reasonable grounds to believe that the student being interviewed has been involved in the commission of a criminal offence;
- taking into account legal considerations respecting the admissibility of statements made to persons in authority (s. 146(2) of the *Youth Criminal Justice Act*);
- involving the local children's aid society in the interview process, which is recommended when an interview involves a child who maybe 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.

15. REPORTING OF CHILDREN SUSPECTED TO BE IN NEED OF PROTECTION

Police/Principal:

Child abuse is any form of physical harm, emotional deprivation, neglect or sexual mistreatment which can result in injury or psychological damage to a child. Behavioural or physical indicators are often helpful in offering clues that a child may have been abused or is being abused. School officials and police must report concerns immediately to the local Children's Aid Society and co-operate fully with CAS investigations. Professionals must be aware of the legal requirements to report cases where they have **reasonable grounds to suspect** a child is in need of protection. Recent legislation makes it very clear that it is the **professional's duty to report** to a children's aid society those children who are suspected to be in need of protection. (under s. 72[1] of the *Child, Youth and Family Services Act*). This requirement overrides the provisions of any other provincial statute that may prohibit

disclosure. Information is to be shared in a manner that respects the **vulnerabilities** of children who may be in **need of protection**.

CFSA 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 one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.
4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3.
5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
6. The child has suffered emotional harm, demonstrated by serious,
 - i. anxiety,
 - ii. depression,
 - iii. withdrawal,
 - iv. self-destructive or aggressive behaviour, or
 - v. delayed development,and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
7. The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.
8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.

9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.

10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or

11. The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.

12. The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment.

13. The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately. 1999, c. 2, s. 22 (1).

16. INVESTIGATIONS INVOLVING STUDENTS WITH SPECIAL EDUCATION NEEDS

Additional considerations are to be taken into account by school personnel and police in investigations that involve a student known to have an exceptionality in any one or more of the following categories: behaviour, intellectual, physical, and/or difficulties in communication. 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 of any age 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. This may include but is not limited to the involvement of the local children's aid society. These include the development of and/or revisions to a behaviour management plan or a safety plan.

17. OCCURRENCES INVOLVING CHILDREN UNDER AGE 12

Please refer to your school board's Child Abuse policy and protocol. We believe this satisfies all the directions listed below.

The local children's aid society should be involved in the development of this section of the protocol, so that a trilateral understanding can be established. Refer to the *Reporting Suspected Child Abuse/Maltreatment* developed by the Ministry of Community and Social Services and the Ministry of the Solicitor General.

Procedures for responding to occurrences involving children under the age of 12, include:

- lack of legal authority to charge these young children under the *Youth Criminal Justice Act*, the *Provincial Offences Act*, or the *Criminal Code*; 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 provisions of appropriate intervention and support;
- principal is required to conduct an investigation of an incident for the purpose of school discipline, regardless of the age of the students involved;
- requirement to notify the parent/legal guardian as soon as possible; except in exigent circumstances or where the police believe the parent may be implicated in the incident;
- the authority police have to take reports, make referrals to additional services (e.g., health/counseling) and conduct interviews;
- the specific types of incidents that are to be reported for students under 12 years of age; and
- the circumstances under which there is a duty to report children suspected to be in need of protection to the local children's aid society, under s. 72(1) of the *Child, Youth and Family Services Act* (e.g., abuse, neglect, or the risk thereof, serious acts of a child when the child's parents are not accessing appropriate treatment), and
- the requirement to provide accommodations and/or modifications for students with special education needs, as outlined in their IEPs.

18. SCHOOL BOARD COMMUNICATION STRATEGY

This police-school board protocol shall be communicated on a regular basis to promote knowledge and understanding of the contents of the protocol. The protocol will be accessible to administrators, newly appointed school administrators, police officers, principal designates, parents, students, and school councils.

19. PROTOCOL REVIEW PROCESS

The regular meetings of the Windsor and Essex County Police and Education Liaison Committee will review the successful implementation of the Protocol procedures every **two** years or sooner, if required. Recommendations can be made to update the contents related to the involvement of police officers in school communities. School staff, police, school councils, parents, and students provide valuable insight in the review process of the Protocol.

The review is conducted by the police services and school boards, which should develop an effective mechanism for soliciting input from local police governance, school staff, students, and parents/guardians.

20. PHYSICAL SAFETY ISSUES

A safe and secure physical environment promotes and enhances the learning process. Maintaining the appearance of schools, both inside and outside, decreases vandalism and violence.

The principal of the school may enlist the aid of the local police service in order to obtain an environmental design and risk assessment. Crime Prevention Through Environmental Design (C.P.T.E.D.) can assist in the development of techniques to reduce vandalism and violence. These measures utilize internal and external facility designs to increase the likelihood that acts of misconduct on school premises will either be physically discouraged or observed and acted upon. C.P.T.E.D. can assist in design and plans for established schools that facilitate more effective emergency response to critical incidents.

In all cases, the final decisions about alterations rest with the school board, as does the responsibility to carry out any desired work.

21. THREAT MANAGEMENT/AWARENESS SERVICES

It is important to identify procedures for a threat assessment strategy so that when a threat occurs in school, personnel will have a plan of what actions to follow. When the school becomes aware of the threat, administrators must assess the credibility of, and needed response for, serious threats.

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

Multi-disciplinary teams will be formed by school boards as a means of preventing and managing situations that could otherwise negatively affect the safety of students and/or school staff. These teams may work in collaboration with police and other community-based service providers, such as mental health agencies, Youth Justice Probation Services, and other youth-focused agencies.

Teams should develop procedures and protocols to facilitate timely intervention in situations where a threat has been made or an individual is engaging in worrisome behaviour that may pose a risk of violence. Having multi-disciplinary teams and a protocol in place provides for the sharing of information and makes a collective and timely response possible.

In situations where a multi-disciplinary team has determined that a student may pose a risk of violence, the team should contact police for assistance. (Similarly, where no multi-disciplinary threat management team exists and a student is thought to be a potential threat, the school board should contact its local police service for assistance.) If the local police service does not have a Threat Assessment Unit, it will assist in obtaining the required services from another police service.

The range of threats that should involve the police services as quickly as possible includes, but is not limited to:

- bomb threats
- threats against children by parents/guardians in custody battles
- personal vendettas between students or gangs
- threats against teachers or staff
- threats of retaliation
- efforts to intimidate, and,
- any other type of alarming behaviour that involves members of the school community.

As soon as possible communication should occur with the police and a supervisory officer. Contact the police at the appropriate phone numbers found on Section 10 in this document (see Table of Contents).

In preparation for police involvement the following should be considered:

- preserve and secure any evidence (for photography and fingerprinting) for continuity and preserve the area from contamination (i.e. threatening graffiti - area should NOT be cleaned or erased - cover it loosely with brown rolled paper). This may also include a recording of a threat;
- evaluate the situation and if warranted, notify the potential victims;
- possible actions may include increased protection, transferring potential victims to another site, or limiting their movement/access in the building;
- provide support and information to victims and victim's family. (see Crisis Response Policies). Police may also involve their Victim Services Unit;
- determine what additional security measures, if any, should be put in place after a threat. Changes might include requesting additional police patrols, hiring security guards, locking doors (in compliance with fire regulations), adding video monitors, or taking other appropriate precautions; and
- a debriefing session after the incident/threat should take place as soon as possible with all parties involved. Any suggested refinements to this document should be directed to the Police Education Liaison Committee.

Important parts of a threat assessment can include:

- name of the threat-maker and his/her relationship to the school and to the recipient
- name(s) of the victims or potential victims
- when and where the incident occurred
- what happened immediately prior to the incident
- the specific language of the threat
- conduct that would substantiate intent to follow through on the threat
- how the threat-maker appeared (physically and emotionally)
- names of others who were directly involved and any actions they took
- how the incident ended
- names of witnesses

- what happened to the threat-maker after the incident
- what happened to the other students or employees directly involved after the incident
- names of any administrators, teachers, or staff and how they responded
- what event(s) triggered the incident
- any history leading up to the incident
- the steps that have been taken to ensure that the threat will not be carried out
- suggestions for preventing school violence in the future
- a Risk Threat Assessment team will be convened where necessary

22. EMERGENCY PLANNING & THREATS TO SCHOOL SAFETY

Every school must develop an emergency and crisis response plan, which must be communicated to the school community. (Refer to **Appendices B and C**).

LOCKDOWN PROTOCOL

Lockdown drills will be conducted twice per academic year at each school. It is recommended that one of the two drills be “non-routine”, for example taking place during recess or at the beginning or end of the school day. (*Inclusion of fire, EMS and police is recommended.*)

Procedures should be in place for instances when lockdowns last an unusually long time.

In the event an actual lockdown is necessary,

Principal:

The principal or designate will:

- contact 911 and provide the details regarding any incident that would trigger a lockdown of the school. (This would involve threat to immediate safety of staff and students from inside the school.);
- contact the Director’s office or emergency line to inform personnel at the school board of the internal lockdown;

- undertake the school liaison role with the police service* (eg. first responder) or assign a designate to act in this capacity;
- provide constant updates to the Director or designate as supplied by the police service; and
- confer with the Director on media releases or board procedures as required.

All staff and students will remain in their designated areas of the school until notified by the principal/designate or police service that the lockdown is terminated.

Police:

- Police will attend the school immediately and assess the threat to staff and students and activate their respective procedures related to Emergency Response and Preliminary Perimeter Control and Containment.
- The police service or designate will establish contact with the principal or designate to ensure there is timely information exchanged. This would include evacuation procedures, primary and secondary evacuation sites, emergency operation center, parent information messages or media releases.
- Police investigations should be undertaken in accordance with the local police service's criminal investigations management plan and, where required, with the *Ontario Major Case Management Manual*.
- The police service will contact the principal or designate advising when the lockdown is terminated and the scene has been released.

HOLD AND SECURE/SHELTER IN PLACE INCIDENT

Hold and Secure should be used when it is desirable to secure the school due to an ongoing situation outside and possibly NOT RELATED to the school. 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. (EG. extreme weather conditions, blackouts, chemical spills, explosion, etc.)

Communications initiated by the Police:

- Police will contact the appropriate school board and/or principal or designate using the notification numbers below. Police will provide details of any

incident that would trigger a hold and secure or shelter in place occurrence at the school. (The incident is a threat to immediate safety of staff and students from outside the school i.e. ongoing emergency outside the school or environmental or weather related);

- the police service will provide the necessary information to the affected school board(s) on the expected time frame for the hold and secure or shelter in place occurrence at the school;
- the police service will provide regular updates every 30 minutes to the affected school board(s) that will be forwarded to the affected school principal(s) through the board office(s);
- the police service will assign a police officer(s) to the school to assist with the hold and secure or shelter in place occurrence at the school; and
- the police service will notify the affected school board(s) when the hold and secure or shelter in place occurrence at the school is terminated.

Notification Phone Numbers

Greater Essex County District School Board: 519-965-2165

Windsor Essex Catholic District School Board: 519-253-8265

Conseil Scolaire Catholique Providence School Board: 519-948-9227

Conseil Scolaire Viamonde: 905-637-5695, 519-551-6320

Principal:

- the principal or designate will direct designated school personnel to lock off all exterior access to the building(s);
- the principal or designate will notify the police service immediately after exterior access has been secured;
- the principal or designate will contact the Director's office or emergency line to inform them of the external lockdown hold and secure or shelter in place occurrence at the school;
- the principal or designate will provide constant updates to the Director or designate;
- the principal or designate will confer with the Director on media releases or board procedures as required; and
- all staff and students will remain in the school until notified by the principal/designate or police service that the hold and secure or shelter in place occurrence at the school is terminated.

Bomb Threat

All school boards must establish policies that require individual schools to develop bomb threat response plans.

All bomb threats should be investigated.

Police :

- The Officer in Charge will gather all information pertaining to the bomb threat from the school administrator and follow their own Police protocols based on the incident. The Officer in Charge will collaborate with the school administrator and school board officials on the appropriate course of action as it relates to the specific incident. (eg. premises search or evacuation)'

Principal:

Board Protocol to be followed.

A sample protocol would include:

- Secure the evidence whenever possible (Eg. photograph messages written on walls, blackboards, etc. save voicemail or electronic messages, document live phone calls, etc.)
- Call 911
- All threats should be investigated.
- Notify Superintendent.
- Determine if evacuation is necessary.
- Search the building and evacuate, if warranted.
- Inform staff, students and community as appropriate.
- School life should continue as usual until a threat is determined by the authorities.

The ultimate determination as to how to handle a bomb threat must be made by the Principal and Superintendent in consultation with the police. The police may take over at anytime to secure the safety of the people in the building. The action plan is determined jointly with police services.

23. TRAINING FOR NEW GUIDELINES

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, the training should be based upon effective/leading practices and will be delivered as considered appropriate to staffing requirements.

School Boards should make best efforts to include all staff in annual training of police/school board protocols. For example include part-time, itinerant, and occasional staff in this training.

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APPENDIX A

GLOSSARY

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

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 objects. The barricade should be capable of being removed to allow exit from the room once the lockdown incident has been resolved.

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

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

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

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

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

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

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

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

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

2. *For the purposes of subsections 306(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; and*
- 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; and*
- 6 *in the case of a pupil for whom an individual education plan has been developed.*

i whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan;

ii whether appropriate individualized accommodation has been provided; and

iii whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

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

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

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

Police Service- Any service bound by this protocol and shall include first responders such as High School Resource Officers, Patrol Officers, Sergeants, Plain Clothes Officers and all other Officers who identify as Police.

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

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

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

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

Suspension – The removal of a student from his or her school and all school related activities for a minimum of one school day to a maximum of twenty school days. Activities for which

suspension must be considered are found in subsection 306 (1) of the *Education Act*. An example is possessing alcohol or illegal drugs.

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

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

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

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

Introduction

Staff, students, and visitors in Ontario's schools have the right to learn, work, and be present in a safe and secure environment. However, the possibility of a major incident of violence is a reality that cannot be overlooked. 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 major incident or threat of school violence.

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 (see section 21 of this document), which must be appended to the protocol.

Purpose

Based on lockdown procedures that have already been established in all Ontario schools, the following updated policy is being provided to help elementary and secondary schools ensure that their lockdown 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 lockdown situations quickly and cautiously.

Mandatory Requirements

While much of what is provided below is termed "Effective Practices", the Ministry of Education specifies two mandatory requirements, as follows:

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 be guided by 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 at or near the school. 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. The policy outlined in this appendix 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 and the final content of the school plan. The principal is also responsible for scheduling drills; for making police, fire, and emergency medical services (EMS)

aware of planning and drills, and inviting them to participate; for training students; and for 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. During a violent 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 crisis situation. Any student with information on or prior knowledge of anyone or anything that may be associated with or 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 the principal and other emergency services throughout the process.

Parents/Guardians – Parents and guardians must be informed of the existence of this plan and should be encouraged to reinforce with their children the responsibilities students have 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, up-to-date 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 that may 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 in the individual school plan, to be used 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.

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 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 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, 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.

Police and schools should plan in advance how police will gain access to the school in the event of a lockdown. Floor plans and facility master keys should be up to date and available for emergency services responders who may be involved in any type of search of the premises. It is particularly important that those elementary schools that have opted to lock their doors during the school day have a plan for making keys available to emergency services personnel.

Rationale

This information is essential so that police can identify the location of rooms and buildings and 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 about 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 – it should not be delayed for the purpose of checking with the principal first. 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 visual indicators, in addition to the PA system. These indicators should be consistent with standards set out in the *Accessibility for Ontarians with Disabilities Act* (AODA).

It is recommended that the actual wording announcing a lockdown be affixed on or near the PA 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 practising it, the person delivering the message can ensure that the content is delivered accurately.

Classroom/Other Secure Areas – Procedures during Lockdown

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

Effective Practices

All staff, including occasional, part-time, or itinerant teachers, must have the ability to lock their classroom doors. 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 the classroom door has a window, 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. Phones that are being used for this purpose should be put on vibrate and all others should be shut off (see note below);
- 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

Restricting an intruder's access (through multiple measures, if possible) to students, staff, and visitors gives the police more time to respond to and resolve a lockdown incident. Additionally, if a classroom is secured and those in it remain out of sight, silent, and behind cover, an intruder is more likely to move on.

Note: School boards, schools, and local police should jointly develop a preferred course of action regarding the use of social media (e.g., for an emergency information network) when developing local school plans and board lockdown procedures. In addition, students should be educated beforehand as to why it is important to stay quiet and switch off their cell phones in the event of a lockdown. Communications officers in school boards and police services can help with the development of a social media action plan.

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. Because of the thin wall construction of portables, it is recommended that all desks be arranged in a circle and tipped onto their sides with desktops facing out, and that students/staff gather within the circle and remain down on the floor, below the top edge of the desks.

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), if it safe to do so, prior to locking down themselves. After gathering students in the immediate vicinity of their classroom door into their classroom, they should quickly check 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 for 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 Inside the School – 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

Having various options for securing open areas can enhance the safety of those who are in these vulnerable areas when a lockdown is called.

Child Care and Other Facility Occupants

As many schools have licensed child care centres and/or other tenants and community groups using school premises, sometimes outside of regular school hours, those organizations or individuals must be taken into consideration at all stages, including planning, training, and drills, and they must be informed of the need to follow lockdown procedures.

Effective Practices

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

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. Planning, should take into consideration all after-school programs, night school, sports programs, and so on.

Outside of School Buildings – Procedures When a Lockdown or “Hold and Secure” Is Called

Procedures must address where staff, students, and others who are outside the school building(s) should go in the event of a lockdown, including a lockdown that occurs during recess or during arrival or dismissal times. These procedures should also address how people who are outside the school building will know where the evacuation sites are located. Instructions for bus drivers and parents who might arrive at the school during a lockdown should be included in the procedures.

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 the predetermined off-site evacuation location(s). Once at the location, staff, students, and any visitors who may be present shall remain at that location until further advised by the principal or police. Plans should include taking 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., the individual issuing the threat has been barricaded), plans should include provisions for a controlled evacuation of areas of the school that are 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. Evacuation 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 and /or the principal, 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 authorized to do so. 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 bring the same level of authority to ending a lockdown as to initiating one.

Training

Plans should address initial and ongoing training of all staff and students.

Effective Practices

Orientation for new staff should include mandatory lockdown training. Schools should establish a method to conduct lockdown review training for all staff during each school year, as early in the school year as possible.

Schools should consider holding 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 and accommodations outlined in their Individual Education Plans.

Best efforts should be made to include all staff, including part-time, itinerant, or occasional staff, in this training. When conducting training, schools should consider how best to include all stakeholders in the school, including community groups, any municipal services that have space in the school, bus drivers, parents, and child care staff.

Where possible, it is advantageous to have police partners present during training to assist with the training of staff and students. Fire department 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 practising of lockdown drills in preparation for a major incident of school violence.

Mandatory Requirement (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 for overseeing the drills, with police support/assistance. Schools should consider including

fire department and EMS personnel during drills, so they can become familiar with lockdown plans. 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, consider also whether or not to notify parents in advance. Consideration could be given to conducting one of the two required annual drills as a "non-routine" drill, such as one that takes place during recess. Procedures should include a plan to alert neighbouring schools about lockdown drills, especially if fire department and EMS personnel have been invited to participate.

To identify areas for improvement, a short debriefing should be included after all drills. 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 practised to ensure that complacency is avoided.

Media

Plans shall include provisions for dealing with media.

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 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, and police and school/board officials 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 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. Given the dynamic, complex, and fluid nature of these incidents, communication with parents around the importance of lockdowns is vital. Information for parents may be presented in newsletters, on school or board websites, and/or at an evening session on lockdown plans. Parents should be informed of what is expected if they happen to arrive at the school during a drill, or if they are in 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 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 see lockdown drills as essential elements to prevent injury. 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 each year when the plan was reviewed.

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.⁷ Care must be taken, therefore, to deal with each incident calmly and consistently. Anyone who spends time in an Ontario school on a regular basis needs to know how to protect themselves, and how to protect students, in the event of a bomb threat.

The Ministry of Education, school boards, and police services from across the province continue to work in partnership to create safe school environments. This work includes planning and preparation in the event that 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

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

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.

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).⁸ 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.

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

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

Effective Practices

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

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

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

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

- the exact wording of 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.

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

Emergency Services Notification

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

Containment of the Explosion Scene

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

Communications

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

Effective Practices

Plans should specify designated primary and secondary communication systems, with provisions for internal communication with staff and students and external communication with emergency services personnel. The external communication plan should have provisions for communication

with parents/other stakeholders during extended incidents and after incidents.

In most cases, intercoms and telephones will be used as primary communication systems. Radios and walkie-talkies are *not* recommended as secondary systems, given that radio signals may detonate sensitive explosive devices. Runners, loud hailer, 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?
- Once you have acquired the necessary insight into the young person's level of understanding, you will be in a position to tailor your explanation of the Section 146 requirements to the capabilities of the particular young person you are interviewing.
- While you are not required to have the young person "explain back" their rights, in some instances, this may well demonstrate that your explanations were both appropriate and sufficient.
- A simple and appropriate way to determine whether the young person understands is to ask, "What does this mean to you in your own words?"

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

1. Statement Recording Method

Audiotape (No. _____) Written DVD (No. _____) Videotape (No. _____)

Police Service: _____ Police Case ID: _____

Occurrence No.: _____

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

Interviewing Officer(s): _____

Name of Young Person: _____ Date of Birth: _____

Address: _____

Name: Parent(s) Adult Relative Other Adult

Address: _____ Phone Number: _____

You are charged with:

You may be 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 _____ (officer's initials) Warning Read: Yes
Do you understand? Yes No

Statement of a Young Person

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:

Statement of a Young Person

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: _____

Statement of a Young Person

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: _____

Signature of Young Person: _____ Time Completed: _____

Witnesses:	
(1) _____	_____ Signature
(2) _____	_____ Signature

APPENDIX E

PROCEDURES FOR POLICE INVOLVEMENT IN THE SCHOOL

In our efforts to provide a safe school environment and to continue to work cooperatively with parents, staff and police services, the following protocol provides school administrators, educators and the Police Services of Windsor and Essex County with a procedure for police involvement in the schools which is consistent in all of the schools.

INITIATION

The police, and/or school administration, can initiate an investigation. Serious violent incidents under the following categories **must always** be reported to the police:

- all deaths;
- physical assault causing bodily harm requiring medical attention;
- sexual assault;
- robbery;
- criminal harassment;
- relationship-based violence;
- possessing a weapon, including possessing a firearm;
- using a weapon to cause or threaten bodily harm to another person;
- trafficking in weapons or in drugs;
- possessing an illegal drug;
- human (sex) trafficking
- extreme hate and/or bias-motivated occurrences;
- gang-related occurrences; and extortion; and
- bomb threat.

Police contact will involve one of three age groups:

1. **Individuals under twelve years of age** cannot be charged 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. Reports of incidents of violence may be reported to the police who will document the occurrence and may counsel the child and the parents and/or contact the Children's Aid Society. Assaults of a violent nature causing serious injury must be reported.

2. **Individuals from twelve to seventeen years** are dealt with under the *Youth Criminal Justice Act*.

3. **Individuals who are eighteen years or older** are considered adults. There may be occasions when adults in question are employees of the Board, parents or others.

The principal, vice-principal, or his/her designate would normally be the person to contact the police. However, when necessary, any employee of the Board may contact the appropriate Police Service for assistance. **A log should be maintained of police contacts by the principal** indicating applicable information:

1. the date;
2. the officer responding, badge number, Police Incident Number (Case Number); and
3. reason for visit.

ARRIVAL

The Police Officer(s), upon arrival at the school, must report to the Main Office where the principal/designate will be informed of the purpose of the visit. At this point, **the log** (referred to above) will be put into operation. Upon request, the principal/designate shall provide the Police with any relevant information including individual names, birth dates, addresses, and telephone numbers. In the event of a serious emergency, including the following offenses or involvements, the principal/designate shall defer to the authority of the police:

- to save lives;
- to search for weapons;
- to investigate assaults with weapons;
- for drug searches;
- to arrest a person;
- for assorted provincial statutes;
- for the pursuit of a suspect;
- for serious physical assaults; and
- for bomb threats.
- non-consensual sharing of intimate images

INTERVIEW

The parents/guardians of all individuals under eighteen years of age must be contacted with the least possible delay. In exigent circumstances, police may direct principal not to contact parents. Principal will not contact parents if he or she feels it may put the student at risk of harm.

Police are encouraged to interview individuals before or after school when such investigation is not relevant to the school. **In the event of urgent need**, i.e. when it is necessary to preserve evidence, to protect the safety of the victim, to protect the public, and matters of safety and security that involve the school, police may request an interview at the school. Individuals who are to be interviewed at the school **must be brought to the Main Office or a private place** by the principal/designate. **They should not be paged to the Office.**

When an individual is **under the age of twelve**, the principal/designate must be present during the police interview.

For students **twelve to seventeen years of age**, **the principal/designate should offer to be present** during the police interview. The student has the right to refuse the offer and the principal/designate must comply. If advice is sought, the individual must be advised of the right to contact a lawyer. P. 15

Individuals, who are eighteen years of age or older, are adults under the law and will be treated with adult rights by the police.

*When students with special needs are involved, refer to section 14 of the protocol.

ARREST

The principal/designate **shall cooperate** when a Police Officer arrives to make an arrest.

The Police Officer has the obligation to ensure that the individual is aware of, and understands, his/her rights.

In the event of an arrest of a student **under eighteen years of age**, it is the duty of the Police Officer to notify the parents/guardians. However, the principal/designate shall also inform the parents/guardians of the arrest as soon as possible.

In the case of individuals **eighteen years of age and older**, the **right of confidentiality** must be followed. **Parents/guardians may only be contacted with the permission of the adult student.**

Appendix F- Case Study: Search and Seizure

Justice Armstrong observed, citing the Supreme Court's decision in *R v. M.R.M.*, that this presumption does not apply in the context of searches by school authorities on reasonable grounds. The approach to be taken in considering searches conducted by school authorities was summarized by the majority in *R. v. M.R.M.* as follows:

1. a warrant is not essential in order to conduct a search of a student by a school authority;
2. the school authority must have reasonable grounds to believe that there has been a breach of school regulations or discipline and that a search of a student would reveal evidence of that breach;
3. school authorities will be in the best position to assess information given to them and relate it to the situation existing in their school. Courts should recognize the preferred position of school authorities to determine if reasonable grounds existed for the search; and
4. the following may constitute reasonable grounds in this context: information received from one student considered to be credible, information received from more than one student, a teacher's or principal's own observations, or any combination of these pieces of information which the relevant 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 the context of the circumstances existing at the particular school.

In determining whether a search conducted by a teacher or principal in the school environment was reasonable, the majority of the Supreme Court outlined the following factors to be considered:

1. The first step is to determine whether it can be inferred from the provisions of the relevant Education Act that teachers and principals are authorized to conduct searches of their students in appropriate circumstances. In the school environment such a statutory authorization would be reasonable.
2. The search itself must be carried out in a reasonable manner. It should be conducted in a sensitive manner and be minimally intrusive.
3. In order to determine whether a search was reasonable, all the surrounding circumstances will have to be considered.

Appendix G- Addendum Pertaining to GECDSB

The Greater Essex County District School Board is currently conducting a review of the Police School Resource Officers Program as part of its efforts to provide equitable learning environments for all students. At the time of signing this protocol, the GECDSB has paused all activities that involve School Resource Officers visiting schools, including presentations and assemblies. This addendum may be modified or removed based on the outcome of the review.