

# **POLICE/SCHOOL BOARD PROTOCOL (2016)**

**BETWEEN**

**ANISHINABEK POLICE SERVICE – CURVE LAKE DETACHMENT**

**CITY OF KAWARTHA LAKES POLICE SERVICE**

**COBOURG POLICE SERVICE**

**DURHAM REGIONAL POLICE SERVICE**

**HIAWATHA POLICE SERVICE**

**ONTARIO PROVINCIAL POLICE**

**PETERBOROUGH POLICE SERVICE**

**PORT HOPE POLICE SERVICE**

**AND**

**CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE CENTRE-SUD**

**CONSEIL SCOLAIRE VIAMONDE**

**DURHAM CATHOLIC DISTRICT SCHOOL BOARD**

**DURHAM DISTRICT SCHOOL BOARD**

**KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD**

**PETERBOROUGH, VICTORIA NORTHUMBERLAND AND CLARINGTON**

**CATHOLIC DISTRICT SCHOOL BOARD**

**TRILLIUM LAKELANDS DISTRICT SCHOOL BOARD**



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## 1. SIGNATORIES

Conseil scolaire de district catholique Centre-Sud; Conseil scolaire Viamonde; Durham Catholic District School Board; Durham District School Board; Kawartha Pine Ridge District School Board; Peterborough Victoria Northumberland and Clarington Catholic District School Board; Trillium Lakelands District School Board; Anishinabek Police Service – Curve Lake Detachment; City of Kawartha Lakes Police Service; Cobourg Police Service; Durham Regional Police Service; Hiawatha Police Service; Ontario Provincial Police; Peterborough Police Service; and Port Hope Police Service.

## 2. STATEMENT OF PRINCIPLES

The police service and the school boards will co-operate and co-ordinate their efforts to create and sustain safe learning environments that respects the legal rights of all students and staff at all times.

These efforts will include the need to:

- ensure that the responsibilities of police and school staff are clear and understood
- promote respect and civility in the school environment;
- incorporate Restorative Practice\* (\* indicates a term located in the glossary) to repair harm, restore relationships and reinforce positive behaviour when wrongdoing occurs in order to foster positive, safe and healthy school communities;
- support both rights and responsibilities of students, teachers, principals and staff; and
- respect the fundamental rights of students, teachers, principals and staff pertaining to disability, race, creed, ethnic origin and other prohibited grounds of discrimination under the *Ontario Human Rights Code*.
- **Note:** In this document the term principal refers to the principal or the principal's designate.

## 3. INTRODUCTION

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

This document has been prepared for the following reasons:

- to assist in the greater safety and protection of students, staff, principals, parents and community members in schools;
- to encourage constructive, ongoing, adaptive, and responsive partnerships between police and the school community in areas such as violence prevention;

- 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 facilitate appropriate sharing and disclosure of information in accordance with privacy laws, including *Municipal Freedom of Information and Privacy Protection Act* (MFIPPA) and *Freedom of Information Privacy Protection Act* (FIPPA);
- to promote joint consultation and partnerships between school boards and police services to maintain and sustain a positive, safe school climate;
- to ensure that the obligations and requirements of both the education and police systems are met;
- 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\*; and
- to promote and facilitate case by case conversations between police and school principals which assist in using the most appropriate response in:
  - the use of Restorative Justice Conferences\* (Youth Criminal Justice Act-YCJA)
  - the use of Restorative Practice\* and Progressive Discipline (schools)
  - the reintegration of young persons\*.

#### **4. ROLE AND MANDATE OF POLICE SERVICES**

In cases of exigent circumstances\*, police will assume primary responsibility to ensure school safety.

With respect to young people and the school community, the role of the local police service includes:

- engaging and working proactively in partnership with school officials to ensure the effectiveness of this protocol;
- protecting public safety and preventing crime;
- enforcing the *Youth Criminal Justice Act*, the *Criminal Code*, and other federal, provincial laws and regulations, and municipal by-laws (in jurisdictions where applicable);
- upholding 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 positive behaviours and the prevention and reduction of crime, both against and committed by young people;
- providing information on community safety issues;
- diverting young people away from crime and antisocial behaviour; and
- working in partnership with other government and community-based organizations to support positive youth development.

## 5. ROLE AND MANDATE OF SCHOOL BOARDS

In cases of exigent circumstances\*, police will assume primary responsibility to ensure school safety. The principal will continue to have a role consistent with his or her statutory responsibility for the safety and welfare of students and to maintain proper order and discipline in the school.

It is the responsibility of the school board, principals, teachers, and school staff to create and sustain a safe, caring and positive learning environment.

In the context of the protocol, this includes:

- engaging and working proactively in partnership with police officials to ensure the effectiveness of this protocol;
- ensuring that all staff, including occasional, part-time, or itinerant teachers, have the means, training, and resources to implement the provisions of this protocol that may apply to them, including the ability to lock their classroom doors during a lockdown (see Appendix B);
- complying with the requirements related to the duties of principals and teachers under the *Education Act*, regulations, policy and program memoranda, school board policies, regulations and procedures;
- conducting investigations of incidents for which suspension or expulsion\* must be considered under the *Education Act*, including the responsibility to take mitigating and other factors\* into account, as set out in Ontario Regulation 472/07;
- complying with the requirements legislated under the *Child and Family Services Act* (e.g., “duty to report”);
- respecting the board’s code of conduct, as required by the *Education Act* (s. 302);
- ensuring that resources (e.g., on drug awareness, bullying prevention) are accessible to assist school staff in order to promote a positive learning environment for students and parents;
- developing policies on how to respond to crises, including the development of a crises communication plan;
- ensuring that appropriate prevention and intervention strategies are available;
- providing staff with opportunities to acquire the skills and access to evidence-informed resources, and interventions necessary to promote safe, equitable, and inclusive school environments;
- Communicating and implementing the board’s code of conduct. This includes details such as the definition of the term weapon ' and explaining the potential application of progressive discipline that occurs while at school, at a school-related\* activity or with respect to behaviours taking place outside of school that will have a negative impact on the school climate\*;

- administering appropriate school climate surveys to staff, students, and parents, and using the data, along with data from other sources, to revise safety and bullying prevention and intervention plans; and
- soliciting input from staff, students, parents, parent involvement committees (PICs), school councils, and Special Education Advisory Committees (SEACs) in the development of local protocols.

In circumstances for which suspension\* or expulsion\* must be considered under the Education Act, the principal has the role and responsibility to conduct an investigation of incidents, including the responsibility to take mitigating and other factors \* into account, as set out in Ontario Regulation 472/07.

## **6. DEFINITIONS/EXPLANATIONS OF TERMS**

Police services and schools boards agree to the definitions of terms as found in Appendix A. Terms found in the glossary are indicated by an asterisk\* throughout the document.

## **7. A COORDINATED APPROACH TO VIOLENCE PREVENTION**

Recognizing the importance of a coordinated and multifaceted approach, the signatories commit to working together in an effort to promote positive behaviour and prevent school violence. Both police agencies and school boards will provide supports and programming that focus on prevention and the factors that precipitate the onset of criminal and antisocial behaviour.

**School board strategies that help prevent violence can include and are not limited to:**

- the use of restorative practice\* in schools to enhance safety and create a caring environment;
- the establishment and sustainment of positive school climates in an effort to create a culture that prevents bullying;
- help for students to develop positive social skills and character traits, including productive conflict-resolution skills;
- The promotion of positive mental health and reduction of stigma associated with mental health issues;
- proactive identification of students at-risk and the provision of extra support;
- the use of progressive discipline to teach and encourage appropriate behaviour in the school;
- recognition of each student as an integral and contributing member of the school community;
- demonstration, through example and leadership, that students' human rights are to be



- respected;
- and encouragement for students to return to the school community after involvement with the criminal justice system, and provision of support through the process.

**Police strategies that can help to prevent violence in schools can include and are not limited to:**

- the use of a restorative justice conference\* as an extrajudicial measure\*;
- the development of positive partnerships with all members of the school community, including parents\*;
- visibility within the school community;
- positive adult role modelling for students;
- the establishment of positive relationships with children and youth;
- referrals based on the best interest of the students;
- delivery of educational sessions on crime and criminal justice issues;
- launching, leading, or being part of local planning tables that mobilize community members and agencies to participate in activities designed to address and reduce risk factors and to enhance protective factors for youth at risk of conflict with the law;
- facilitation of communication and cooperation with school officials, Youth Justice Probation Services, other police officers, courts, and other social services; and
- support for students as they return to the school community after involvement with the criminal justice system.

## **8. OCCURRENCES REQUIRING POLICE RESPONSE**

Mandatory police reporting does not mean that police will lay charges in every situation, however, for the incidents listed, police must be notified by the principal. These incidents 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\* (nexus to the school).

For students under 12 years of age and students with special education needs, there are circumstances where a police response is neither necessary nor appropriate. Refer to sections 15 and 16 for further information on dealing with students under the age of 12 or students with special education needs.

The following incidents require mandatory reporting to police.

***Mandatory Notification of Police***

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

- all deaths;
- physical assault causing bodily harm\* requiring medical attention\*;
- sexual assault\*;
- robbery\*;
- criminal harassment\*;
- relationship-based violence\*;
- possessing a weapon\*, including possessing a firearm;
- using a weapon\* to cause or to threaten bodily harm to another person;
- trafficking\* in weapons\* or in illegal drugs;
- possessing an illegal drug;
- hate and/or bias-motivated occurrences\*;
- gang-related occurrences\*;
- extortion\*;
- non-consensual sharing of intimate images\*;
- bomb threats; and
- human trafficking specific offenses

***Discretionary Notification of Police***

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

- giving alcohol to a minor;
- being under the influence of alcohol or illegal drugs;
- physical assault;
- threats\* of serious physical injury, including threats\* made on social networking sites or through instant messaging, text messaging, e-mail, and so on;
- incidents of 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.

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

Both the police and school principal may be involved in a restorative justice\* conference or use restorative practice\* as appropriate. It is our intent to avoid overlap or duplication in helping individuals repair harm and make things right.

If criminal charges are anticipated or laid, restorative practice\* will not occur without prior

consultation of the investigating officer and/or his or her designate. When possible, the police will share information with the principal that may be relevant.

## **9. INFORMATION SHARING AND DISCLOSURE**

A number of different statutes deal with information sharing and disclosure. These include federal legislation (the *Criminal Code*, the *Youth Criminal Justice Act*) and provincial legislation (the *Municipal Freedom of Information and Protection of Privacy Act*, the *Education Act*, and the *Child and Family Services Act*). In situations where federal and provincial laws are in conflict with each other, the federal law takes precedence.

### **a) *Criminal Code***

The police can access a student's Ontario Student Record (OSR) by warrant or subpoena, or with the written consent of a parent\* or of the student, if the student is 18 years of age or older. In exigent circumstances\*, the police can access a student's OSR without a warrant, under section 487.1.1 of the *Criminal Code*.

### **b) *Youth Criminal Justice Act (YCJA)***

The YCJA sets out the procedural requirements for dealing with young persons\* charged with offences. (Refer to Part 6 [ss. 110 to 129] of the YCJA, "Publication, Records and Information".)

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

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

- subsection 110(1), which states that no person shall publish the name of the young person\* or any information that would identify the young person\* as a young person\* dealt with under the YCJA;
- subsection 111(1), which states that "no person shall publish the name of a child\* or young person\*, or any other information related to a child\* or a young person\*, if it would identify the child\* or young person\* as having been a victim of, or as having appeared as a witness in connection with, an offence committed or alleged to have been committed by a young person\*;
- subsection 118, which states that no person shall be given access to a record and no information in the record shall be given to any person, where to do so would identify the young person\* as being dealt with under the YCJA;

- subsection 125(1), which states that “[a] peace officer may disclose to any person any information in a record kept under section 114 (court records) or 115 (police records) that it is necessary to disclose in the conduct of the investigation of an offence”;
- subsection 125(6), which permits a provincial director, youth worker, peace officer, or any other person engaged in the provision of services to young persons\* to disclose to a representative of a school board or school any information kept in a record under sections 114 to 116 of the YCJA if the disclosure is necessary:
  - to ensure compliance with an order made by the youth justice court for a young person\* released from custody to attend school;
  - to ensure the safety of staff, students, or other persons; or
  - to facilitate the rehabilitation of the young person\*.

**c) *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and Freedom of Information Privacy Protection Act (FIPPA).***

This legislation regulates the collection and disclosure of personal information that is not related to the YCJA. Section 32 (g) of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* expressly permits a school board to disclose confidential information to the police to aid in an investigation undertaken with a view to where a law enforcement proceeding is likely to result.

The Ontario Student Record (OSR) is privileged for the information and for the use of supervisory officers, the principal/vice-principal and teachers of a school for the improvement of instruction of a student. Disclosure of its contents to the police may be made in the following circumstances: with the written permission of the parent\* or guardian of the student, or where the student is an adult, with the written permission of the student; through a search warrant requiring the surrender of an OSR to the police or through a subpoena or appropriate court order.

Further information regarding the release of students’ personal information can be found in the Office of the Information and Privacy Commissioner’s *Guide to Ontario Legislation Covering the Release of Students’ Personal Information*.

It is important to note that privacy laws permit the disclosure of personal information in compelling circumstances. Examples cited include, but are not limited to, concerns arising about a possible suicide attempt; concerns about a student’s mental state and the possible risk of significant harm to the public; and concerns that a student may harm himself/herself or others.

***Child and Family Services Act (CFSA)***

All school personnel and police are required to and have an ongoing duty to report children who are suspected to be in need of protection to the Children’s Aid Society (C.A.S.) as per

district board guidelines as directed by subsection 72 (1) of the *CFSA* and outlined in district school board guidelines.

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

## **10. SCHOOL PROCEDURES FOR REPORTING TO POLICE**

In a situation requiring a lockdown, it is vital that the lockdown\* be called immediately, then 911. As appropriate, institute the Lockdown\* Protocol and/or Emergency and Crisis Response Plan (as outlined in section 21 and board policy).

In any other emergency requiring police, ambulance or fire services, school staff (any employee at the school) will immediately call 911, and immediately inform the principal that 911 has been called.

In a non-emergency situation, school staff will consult with the principal or designate before police are contacted using the non-emergency police phone number.

Reporting procedures must comply with the "duty to report" provisions under the *CFSA*.

## **11. INITIAL POLICE CONTACT**

When police respond to a school-related\* incident they are responsible for obtaining and thoroughly documenting information about the incident.

Except in exigent circumstance, officers are normally required to take the following steps:

- report to the principal, providing proper identification;
- explain the purpose of the visit, and plan with the principal on how to proceed;
- consider alternatives that limit the disruption to the school day;
- obtain information from the principal about the student (e.g., regarding accommodation needs or barriers to communication) before making contact with the student; and
- contact, or make arrangements with the principal to contact, parents\* of students under the age of 18 (see section 13(a) below).

If the circumstances involve the principal being investigated, the appropriate District School Board of Education Superintendent should be contacted by police, where practical, prior to commencing an investigation, but as soon as possible after an investigation has been commenced unless such contact could negatively impact the integrity of the investigation.

## 12. SCHOOL AND POLICE INVESTIGATIONS OF INCIDENTS

It is important that the principal not do anything to prejudice a police investigation. It is also important that police recognize the principal's obligations under the Education Act.

Principals have a legislated responsibility under the *Education Act* to conduct investigations related to suspensions and expulsions\*. These investigations require that the principal or designate interview involved students and/or staff. For example, a school board's decision regarding expulsion\* of a student must be made within twenty school days from the date when the student was suspended. When possible, the police will share information with the principal that may be relevant to that decision.

Prior to interviewing students in any circumstance where police have been called (including those previously interviewed by police), the principal will first discuss their intention to interview any students and staff with the police. This will minimize the possibility of jeopardizing a police investigation or subsequent court proceedings.

In any circumstance where police have been called and a police investigation has commenced, students shall not be interviewed by the principal or designate without the principal first discussing the matter with police.

There are situations, for example, sexual assault\* investigations, where police may ask the principals not to interview or re-interview victims, suspects or witnesses. When police conduct an investigation, they may share information, when possible (MFIPPA, FIPPA and YCJA) with the principal. A principal may make notes regarding this information and use those notes as part of their investigation with the consent of the police.

A principal who interviews students who are part of a criminal investigation may become a witness to court proceedings. Notes taken by the principal during interviews with students may be subpoenaed.

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

### **a) Legal Rights**

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

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

During a police investigation at a school, it is the responsibility of the police to explain to a young person\* his or her rights in a manner that enables him or her to understand those rights.

The principal will inform police of any special circumstances which may impede the student in expressing or understanding written/oral communication.

### ***b) Search and Seizure***

Except in exigent circumstances\*, police seeking to conduct searches of school property, including lockers, are required to obtain a search warrant.

When executing a search warrant, police will serve the principal or designate of the school with a copy of the search warrant.

At the commencement of each school term, school principals shall publish notice of the right and authority of the school to search school property such as lockers, desks, etc. without notice to or permission of any person in accordance with school board policies and procedures. Personal property such as knapsacks, purses, cell phones, etc. may become subject to search in accordance with school board policies and procedures.

A principal will conduct a search under the authority of the *Education Act* in accordance with school board policies and procedures. If the principal has reason to believe there is a safety risk to the principal or others, the police may be called to attend to ensure safety of all parties. Police cannot take part in the school's search nor shall police provide any direction to the principal in relation to the school's search unless under judicial authorization where there are concerns over public safety.

### ***c) Detention and Arrest***

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

- procedures to be followed in the detention and/or arrest of suspects, in accordance with the Ministry of Community Safety and Correctional Services' Guideline LE-005 on arrest and the *Youth Criminal Justice Act*;

- roles and responsibilities of police and school personnel in the event of a suspect being arrested or detained on school property;
- legal grounds for police to demand entry (e.g., for weapon\* and drug searches, to arrest a person wanted for an indictable offence\*, or to save lives); and,
- requirements to be followed under the *Youth Criminal Justice Act* when a young person\* is arrested and detained, including who is responsible for discharging specific obligations (e.g., the notification of parents under s. 26 of the Act.)

#### **d) Support for Victims**

Police shall act in accordance to the Police Services Act and the Victim Bill of Rights to provide support and assistance to victims.

School staff shall refer to their board's policies, regulations and procedures, where available, regarding support to victims and others involved who have been harmed as a result of an activity for which suspension or expulsion\* must be considered.

The Police and the principal will adhere to the following procedures and responsibilities with respect to providing support for victims:

- procedures consistent with the Ministry of Community Safety and Correctional Services' Guideline VA-001 on victims' assistance;
- roles and responsibilities of police and school personnel, such as:
  - the requirement that police officers remain at the scene until satisfied that there is no imminent threat to the victim and that issues related to the victim's safety have been addressed;
  - the obligation that the principal inform the parents of victims who have been harmed as a result of an activity for which suspension or expulsion must be considered, unless, in the principal's opinion, doing so would put the victim at risk of harm from the parents (Education Act, s. 300.3(1) and O. Reg. 472107); and
  - the requirement that all board employees who work directly with students are expected to support all students, including those who disclose or report such incidents, by providing them with contact information about professional supports (e.g., public health units, community-based service providers, Help Phone lines);
- notice to victims and (when applicable) their parents of the services available to them and other considerations, such as:
  - police services for victims;
  - student support services of the local school board;
  - services offered by other municipal, community, and social service agencies, including legal services;
  - access to information; and



- confidentiality of victim and witness identities. (s.111, Youth Criminal Justice Act);
- procedures for information sharing and community referrals.

### **13. POLICE INTERVIEWS OF STUDENTS**

Except in exigent circumstances\*, when the police interview students on school premises\* the following procedures will be followed:

- Police are required to conduct interviews related to criminal investigations of incidents that involve students as alleged perpetrators, victims, or witnesses. Any person who may have information related to the incident may be interviewed by police;
- The principal must make best efforts to contact parents\* as soon as possible unless it may interfere with the integrity of the police investigation. This should be done before the interview and the principal should document such attempts;
- Where the parent/guardian refuses the request for an interview to commence at school, and it is appropriate, police will conduct the interview off of school property;
- A parent/legal guardian, third-party adult, or the principal, if no alternative is available, must be present when students under the age of 18 are being interviewed at school;
- Where a student aged 12 to 17 waives the right to have an adult present at the interview. The Waiver should be documented in writing in conjunction with section 146 of the YCJA. The police and the principal must consider the most appropriate location for conducting the interview and take steps to ensure that the student's rights are respected during the interview;
- The principal shall assist police in making the required preparations (e.g., securing a quiet room and establishing a time for the interview);
- Police must consult with the principal to consider alternatives for conducting interviews at a location other than the school;
- When taking statements from accused youth, police will follow the *Guide to Officers for Section 146 Youth Criminal Justice Act Statements* (Appendix D);
- Police will 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;
- Consideration will be given to determine the most appropriate time and place to conduct a student interview;
- The inclusion of the local Children's Aid Society (CAS) in a joint interview if the child is suspected to be in need of protection.

#### **a) Notification of Parents**

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, and of the student(s) who the principal believes engaged

in the activity that resulted in the harm, unless, in the principal's opinion, notification of the parents would put the student at risk of being harmed by the parents or impair the integrity of the police investigation. 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 in circumstances where the police believe such notification would negatively impact upon the integrity of the police investigation (for example, where the police believe the parent may be implicated);
  - If the student is 18 years of age or older (unless the student consents to or requests such contact or is incapable of providing consent); or
  - If the student is 16 or 17 years of age and has withdrawn from parental control (unless the student consents to or requests such contact or is incapable of providing consent).

If the Children's Aid Society (CAS) is involved, CAS and police officials should discuss and come to agreement with the principal regarding the timing and procedure for notifying the parents\*. In subsequent actions, CAS, police and the principal will continue to communicate with parents/legal guardians.

Unless otherwise directed by police, the principal shall notify the parents\*/legal guardians of the student, in a timely manner, if the student is removed from school property by the police.

When police remove a student/s from school property for further investigation, police shall confirm with the principal, the time and date of the notification to the parents\*/legal guardians of the student/s.

The onus is on the police to advise the principal if notification of the parents\* would endanger the student or negatively impact upon the investigation. Similarly, the principal will advise the police if notification of the parents would endanger the student. The parents\* should not be contacted if the police determine that doing so may endanger the safety of the student or another person or negatively impact the integrity of an investigation.

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 compromise 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***

When preparing for interviews of students, police, in consultation with the principal shall:

- Determine whether circumstances allow for the interview to be conducted at the student's home or another location rather than at the school (in view of the stigma and the potential impact on the student);
- Determine the best location for the interview. If the incident is not related to the school and will have no impact on school safety, police shall try to not conduct interviews at the school.
- Evaluate the need for specialized resources where a student is known to have mental health needs or special education needs (see section 15); and
- Determine 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***

When conducting interviews of students, police shall:

- employ appropriate measures for interviewing children, young persons\* and students with special education needs;
- have regard to the *Guide to Officers for Section 146 Youth Criminal Justice Act Statements* (see Resource G);
- 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;
- take into account legal considerations respecting the admissibility of statements made to persons in authority (s.146(2) of the *Youth Criminal Justice Act*);
- involve the local Children's Aid Society (CAS) in the interview process when an interview involves a child\* who may be in need of protection; and;
- have an adult present throughout the interview, except when the student waives his or her 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. When a parent or other adult selected by the student cannot be present, the principal must attend the interview.

## **14. REPORTING OF CHILDREN SUSPECTED TO BE IN NEED OF PROTECTION**

All school personnel and police are required and have an ongoing duty to report children who are suspected to be in need of protection to the CAS as required by the *CFSA* s.72.

Reports will be made in accordance with the law and with existing school board/CAS protocols and police/CAS protocols.

## **15. INVESTIGATIONS INVOLVING STUDENTS WITH SPECIAL EDUCATION NEEDS**

School principals have a duty to ensure that all members of the school community are able to work and learn in a safe and positive environment. They are obliged to report incidents to police as outlined in section 8 of this document. However, in investigations that involve a student known to have special education needs, additional considerations must be taken into account by school personnel and police.

If an investigation involves a person known to have special education needs and/or communications deficiencies, the principal making the initial contact with police shall identify those considerations to the police. Special education needs shall be taken into account by the police in the course of the investigation including, but not limited to, the conducting of interviews and the decision whether to notify a parent\* or guardian.

Additional considerations are to be taken into account when an investigation involves a student (or students) known to have special education needs, who may be identified as having an exceptionality in any of the following categories: behaviour, communication, intellectual, physical, or multiple. Such considerations include:

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

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

## **16. OCCURRENCES INVOLVING STUDENTS UNDER AGE 12**

When children under the age of 12 are involved, a principal is expected to report all incidents that are on the mandatory notification of police list and use his or her discretion in

applying the rules outlined in section 8 for reporting discretionary incidents to the police. Children under 12 cannot be charged with an offence under the *Criminal Code*, *Youth Criminal Justice Act*, or the *Provincial Offences Act*, but police may take reports of incidents allegedly committed by students in this age group and may respond in the appropriate manner.

Early intervention for children involved in such incidents is essential, and involving police and parents/legal guardians\* as early as possible may facilitate the provision of appropriate intervention and support.

The principal is required to conduct an investigation based on Ministry of Education and district school board expectations of an incident for the purpose of school discipline (for example, where a recommendation for suspension or expulsion\* may be required, regardless of the age of the students involved.)

The principal will 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.

When an incident involves a child\* under 12, police have the authority to take reports, make referrals, conduct interviews and apprehend the child\* under the *CFSA*.

Accommodations and/or modifications for students with special education needs will be provided, as outlined in their IEPs.

## **17. SCHOOL BOARD COMMUNICATION STRATEGY**

The school board will develop a communication plan to promote knowledge, understanding, and consistent application of the contents of the protocol.

Students and their families need to be aware of the range of situations in which police may be called (including any criminal activity involving students that takes place away from school, if that activity has a negative impact on school climate\*).

## **18. PROTOCOL REVIEW PROCESS**

The signatories will conduct a review of the Police/School Board Protocol every two years or sooner if required.

The police service will solicit input, for consideration, from local police governance while school boards will solicit input, for consideration, from school staff, students and parents\*.

## **19. PHYSICAL SAFETY ISSUES**

School principals, in consultation with the school board superintendents may consult over issues of concern related to physical safety assessments with the police service within their district.

When requested, police services may work in cooperation with local schools to assess the physical safety of the school premises\*, including the building and outdoor areas (e.g., lighting, building design, landscaping). In all cases, final decisions about alterations rest with the school board, as does the responsibility to carry out any desired work.

## **20. Violence Threat Risk Assessment (VTRA)**

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

A multi-disciplinary approach to threat/risk assessment should be considered where possible as a highly effective means of preventing and managing situations that could otherwise negatively impact the safety of students and/or school staff. Appropriate staff should be trained on school board's approach to threat/risk assessment, and the expectations of the approach communicated to the appropriate stakeholders.

Police services and school districts recognize the need to work together in schools in order to prevent school violence as:

- outlined in each districts school board's Safe Schools policies, regulations and procedures
- outlined in this protocol, section 8
- needed through risk and/or threat assessment services (such as the Durham Regional Police Service or the OPP Behavioural Sciences and Analysis Services.)

In locations that do not have a multi-disciplinary team in place, boards may contact their local police service, who will assist in obtaining the required services from another police service.

Where available, district school boards and police services signed on to the Community Threat Assessment Protocol will follow the procedures described therein.

## **21. EMERGENCY PLANNING AND THREATS TO SCHOOL SAFETY**

In keeping with school board and Ministry of Education policies, every school is expected to develop an Emergency and Crisis Response Plan, which must include, but is not limited to:

1. a lockdown\* plan and procedures to be followed after a lockdown or similar emergency, and
2. a plan and procedures for dealing with bomb threats.

Teachers, staff, parents\*, and students should be involved in the development and monitoring of the Emergency and Crisis Response Plan, and the plan should be fully communicated to members of the school community and police services. The boards will provide their respective police services and fire department(s) with the Emergency and Crisis Response Plan.

Police and school staff will follow their organization's procedures, regulations and policies related to situations requiring a lockdown\* or hold and secure situation.

A minimum of two Lockdown\* drills and/or Hold and Secure must occur each school year. (See Appendix B).

Schools will follow the bomb threat response policy and ensure the development and implementation of individual school plans in consultation with police services.

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

Appropriate board and emergency response procedures and documents shall apply in emergency situations. Every school should be guided by the provincial policy in developing its lockdown plan and bomb threat plan.

## **22. TRAINING**

The school board and police services are required to provide training on the protocol to their staff on an annual basis. This training should be based upon effective/leading practices. Best efforts should be made to include all staff, including part-time, itinerant, and occasional staff, in this training.

When possible, the training should be delivered jointly by police and School Board personnel.





## APPENDIX A: DEFINITIONS/EXPLANATION OF TERMS

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 definitions, please refer to the Code itself.

**Assault** - A person who directly or indirectly applies force intentionally to another person, or who attempts or threatens to do so, has committed an assault.

**Assault Causing Bodily Harm** - The intentional application of force resulting in an injury requiring medical attention\*, but not including an instance where medical attention is sought solely on a cautionary basis.

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

**Board Employee** - Any person employed by any of the district school boards who are a party to this protocol agreement on a temporary, part-time or full-time basis.

**Child** - Under the *Youth Criminal Justice Act* a child is defined as a person who is, or in the absence of evidence to the contrary, appears to be less than twelve years old. Another definition exists under the *Child and Family Services Act (CFSA)*, wherein “child in need of protection” is defined as any person under the age of 16 or between 16 and 18 if subject to a child protection order. Consideration should be given in each situation as to which definition applies.

**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 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 threaten bodily harm.

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

**Extra-judicial Measures** - Measures used by police to hold a young person\* accountable for his or her alleged criminal behaviour, in a timely manner, outside the formal youth justice system. The formal system would include charging the individual and going through the court process. 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 (e.g., 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.

**Human Trafficking**- Involves the recruitment, transportation or harbouring of persons for the purpose of exploitation (typically in the sex industry or for forced labour). Traffickers use various methods to maintain control over their victims, including force, sexual assault, threats of violence and physical or emotional abuse. Human trafficking may occur across or within borders, may involve extensive organized crime networks, and is clearly a violation of the basic human rights of its victims. The relationship between the trafficker and the victim is continuous and extends beyond the border crossing. Victims may be forced into labour, prostitution or some other form of servitude. Victims may suffer abuse from their traffickers and may face severe consequences if they attempt to escape.

**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)

**Mitigating and Other Factors** – Circumstances that must be considered by the board and school principals 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

- ***Mitigating factors***

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

- ***Other factors***

- The pupil's history.
- Whether a progressive discipline approach has been used with the pupil.
- 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.
- How the suspension or expulsion would affect the pupil's ongoing education.
- The age of the pupil.
- 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, cyberbullying often occurs outside school, but if it targets individual students and causes them to be afraid to come to school, it is having a negative impact on school climate.

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

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

**Police Involvement** - The course of action determined to be appropriate by the police for the investigation of an incident to which they have been called, including any follow-up and proactive measures.

**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.

**Requiring Medical Attention** - Injury such that a physician's treatment is reasonably necessary or prudent.

**Restorative Justice Conference** (Used in the criminal justice system) - Focuses on the needs of victims and offenders according to the YCJA. The intent of the restorative justice conference is to have the offenders take responsibility for their actions and to repair harm done to the broader community and to victims.

**Restorative Practice** (Used in the education system) - Schools may use conversations, circles or conferences that bring together those who have been harmed and those causing harm. It allows these parties and school staff to be a part of the process of making things right. The intent is to have persons causing harm in the school community come to understand the impact of their actions on others in that community. All parties, including the person harmed, then have a say in identifying ways to repair the harm that has been done and make things right. Restorative Practice does not replace other consequences such as suspension. Restorative Practice may, be used to re-integrate individuals back into the school community after a suspension or expulsion\*.

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

**School Premises** - School buildings and grounds including parking lots and playing fields. School premises also include any buildings or grounds that are rented or leased by the school board.

**School-Related Activity** - Any board or school sponsored activity including but not limited to field trips, sports, time on buses and dances.

**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 an intent to cause harm, whether physical or emotional, to any person or thing, in circumstances where the person threatened believes or has grounds to believe the threat may be carried out.

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

**Trespassing** - The attending at, or presence on a private premise without permission of a person in authority having care and control of the premises or engaging in a prohibited activity thereon (e.g., posting a "No Skateboarding" sign means that those skateboarding on that location are trespassing and can be removed).

**Vandalism** - The defacing, damaging or destruction of property.

**Young Person** - A person who is or, in the absence of evidence to the contrary, appears to be twelve years old or older, but less than eighteen years old and, if the context requires, includes any person who is charged under the *Youth Criminal Justice Act* with having committed an offence while he or she was a young person or who is found guilty of an offence under that Act.

**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 any amount of time in an Ontario school on a regular basis needs to know how to protect themselves, and how to protect students, in the event of a major incident or threat of school violence.

Given the dynamic, complex and fluid nature of such incidents, continuous communication, assessment, and coordination by first responders and school principals 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.

Although the following information focuses on lockdowns, it also applies to variations known as hold and secure and shelter in place.

### **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 to ensure their lockdown plans meet basic requirements, and to ensure an acceptable level of consistency across the province.

### **Mandatory Requirements**

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

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

In developing lockdown plans, each school should consider the following policy.

### **Medically Fragile and/or Students with Special Needs**

Principals should share detailed emergency plans with emergency personnel that prioritize the evacuation of students and staff who are medically fragile, have special needs and/or other considerations.

## **When to Lockdown/Terminology to Be Used**

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

**“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.

### ***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 Practice***

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



**Staff** - School staff, and in particular principals, have the overall responsibility for the training, safety, and well-being of students. During a violent incident, principals 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 school administration and other emergency services throughout the process.

**Parents/Guardians** – Parents and guardians must be informed of the existence of this plan and should be encouraged to reinforce with their children the responsibilities the 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 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. Hard copies of floor plans, and electronic copies, if possible, should be provided to police.

### ***Rational***

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

### **Identification of Buildings, Exterior Doors, Classrooms**

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

### ***Effective Practices***

In situations where more than one building exists on school grounds, each building should be clearly identified on all sides of the building, with a building identifier, such as a number. All portables should be clearly identified as well. All exterior doors shall be clearly identified, such as doors A, B, C, etc. All rooms within the building should be clearly marked with room numbers.

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.

### ***Rationale***

This information is essential so that police can identify the location of rooms and/or 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, and

should not be delayed for the purpose of checking with administration 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 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 system, so that it is clearly visible and can be read by the person announcing the lockdown. (see Resource A- Emergency Response Announcement)

### ***Rationale***

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

### **Classroom/Other Secure 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 (behind something solid);
- remain absolutely quiet;
- take attendance (to be done by teachers);
- do not use cell phones unless it is necessary to communicate regarding the incident. Phones being used for this purpose should be put on vibrate and all others should be turned off;
- consider barricading\* doors where possible, in addition to locking them. Barricading can sometimes provide additional protection against an intruder;

Consideration should 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 emergency medications for prevalent medical conditions such as anaphylaxis, diabetes, asthma, and epilepsy.

### ***Rationale***

Restricting an intruder's access (through multiple measure, if possible) to students, staff, and visitors give 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 should coordinate the development of a plan which includes how to communicate with media, parents and the community during a crisis.

### **Portables**

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

### ***Effective Practices***

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

For safety reasons, when practicing a Lockdown staff and students should not tip and move 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) prior to locking down, if it is safe to do so. 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 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 Schools - 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. They must also be informed of the need to follow lockdown procedures.

### ***Effective Practices***

It is important that principals make best efforts to ensure the appropriate staff from organizations sharing 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 and students who are outside the school building(s) should go in the event of a lockdown, including lockdowns that occur 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/guardians 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 predetermined off-site evacuation location(s). Once at the location, staff, students, and any visitors who may be present shall remain in that location until

advised by administration or police. Plans should include the taking of attendance at the off-site evacuation location(s). Neighbouring schools may not be the best option as off-site evacuation locations, as they too may lockdown 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), school staff will follow the direction of the police on the plan for a controlled evacuation of the areas of the school not in the vicinity of the contained area.

#### ***Effective Practices***

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

### **Fire Alarms**

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

#### ***Effective Practices***

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

#### ***Rationale***

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

### **Procedures to End a Lockdown**

Plans should include how a lockdown will be terminated.

### ***Effective Practices***

Plans to conclude a lockdown will vary by location. Procedures may include a general announcement via the PA system by the principal, or a room-to-room visit from police and/or 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 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 include the same level of authenticity to ending a lockdown as to initiating one.

### **Training**

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

### ***Effective Practices***

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

Schools may consider assemblies to train secondary students on lockdown procedures, but due to the young age of some elementary students, it is suggested that classroom teachers be responsible for training students. 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 staff that have space in the school, bus drivers, parents/guardians and child care staff.

Where possible, it is advantageous to have police partners present during training, and to assist with the training of staff and students. Information for parents/guardians may be presented in newsletters, school or board websites, or an evening session on lockdown plans. Fire and EMS personnel should be invited to training sessions.



## ***Rationale***

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

## **Drills**

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

### **Mandatory Requirements (Ministry of Education)**

Each school shall conduct a minimum of two lockdown and /or hold and secure drills during each school year.

## ***Effective Practices***

School personnel should work cooperatively with police partners on drills. The principal is responsible for setting the date of drills and overseeing the drills, with police support/assistance. Schools should consider including fire department and EMS personnel during drills, so they become familiar with lockdown and hold and secure plans. Staff, students, child care workers, parents, guardians and community partners, or any 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 should be given to conducting one of the two required annual drills as a "non-routine" drill, such as the one that takes place at recess. Procedures should include a plan to alert neighbouring schools of lockdown and hold and secure drills, especially if fire department and EMS personnel have been invited to participate.

A short debriefing should be included after all drills to identify areas for improvement. Many boards have established a tracking system to record drill dates, thereby ensuring accountability and compliance.

## ***Rationale***

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

## **Media**

Plans shall include provisions for dealing with media.

### ***Effective Practices***

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

### ***Rationale***

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

## **Communication with Parents/Guardians/Community**

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

### ***Effective Practices***

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

Parents/guardians need to be informed of where they should proceed in the event of an actual incident involving a lockdown. Communication with parents/guardians around the importance of lockdowns is vital. Parents/guardians should be informed of what is expected should they arrive at school during a drill, or if they are present within the school when a lockdown is called. Information for parents may be presented in newsletters, on school and board websites, and/or at an evening session on lockdown plans. In all instances of a lockdown that was not a drill, it is recommended that a communication to parents/guardians be sent home with each student at the conclusion of the school day or as soon as possible.

Parents/guardians 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/guardians need to see lockdown drills as essential elements to prevent injury. Good communication is required to eliminate fears and concerns. Parents/guardians 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 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. (see Resource A: Emergency Lockdown Procedures Debrief) In serious situations where injuries or loss of life occurs, the board's trauma response plan will be initiated. In all cases, communication with parents/guardians is vital.

### **Plan Review**

The board plan and subsequent school plans, shall be thoroughly reviewed annually.

### ***Effective Practices***

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



## **APPENDIX C: PROVINCIAL POLICY FOR DEVELOPING AND MAINTAINING OF BOMB THREAT PROCEDURES FOR ELEMENTARY AND SECONDARY SCHOOLS**

### **Introduction**

Staff, Students, and visitors in Ontario's schools have the right to learn, work, and be present in a safe and secure environment. 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. 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 principals are of paramount importance in ensuring an effective response.

### **Purpose**

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

### **Mandatory Requirements**

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

- 1) All publicly funded school boards in Ontario must establish a bomb threat response policy to ensure the development and implementation of individual school plans.

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

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 principals, have the overall responsibility for the training, safety, and well-being of students. During a bomb threat incident, principals 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). The OFMEM provides a 24-hour response for all explosions. The OFMEM is notified immediately of all fatal fires, explosions, and incidents causing injuries so that an OFMEM investigator can be assigned.

### **Floor Plans**

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

### ***Effective Practices***

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

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

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

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

### ***Rationale***

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

## **Identification of Rooms and Buildings, and Facilitation of Access**

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

### ***Effective Practices***

In situations where more than one building exists on school grounds, each building should be clearly identified, on all sides, with a building identifier, such as a number. All portables should be clearly identified as well. All exterior doors should be clearly identified for example, as Doors A, B, C, or 1,2,3 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. Some are received in the mail or by other means, but these methods are rare. In each case, the communication should be taken seriously. School staff in positions that make them most likely to receive bomb threats should be identified in school plans and should receive training in proper procedures.

## ***Effective Practices***

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

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

Staff should be trained to record precise information during a bomb threat call, including the following: (see Resource B: Bomb Threat Phone Response Card)

- 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.

School Plans should also address the potential of a drop off of a suspicious package that could be a potential explosive device. This could lead to the immediate calling of 911 and evacuation of the school.

### ***Rationale***

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

### **Initial Assessment**

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

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

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

## ***Effective Practices***

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

- the information recorded On the bomb threat checklist (see "Bomb Threat Intake Procedures", above);
- any other notes made by the call taker;
- activities taking place in the school at the time of the threat (e.g., examinations);
- whether a specific location for a bomb was stated or the entire school was threatened;
- whether the threat was specific to the current time or a future time/ date;
- any recent negative incidents involving a student, staff member, or anyone else connected with the school;
- whether there have been any other recent bomb threats or hoaxes;
- the likelihood of anyone having the opportunity to place a bomb in the stated location; and
- whether a suspicious device/package has been located.

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

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

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

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

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

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

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

### ***Rationale***

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

### **Visual Scans**

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

### ***Effective Practices***

#### **Designating Persons to Conduct Visual Scans**

As part of the initial assessment, the principal may decide that a safe, visual scan of the school and/or classroom for suspicious devices or packages should be conducted. Every school plan should identify the staff member(s) who will conduct this visual inspection. It is imperative that scans be conducted by individuals who have detailed knowledge of the facilities and in particular the area being scanned 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/Fire and Emergency services may be of assistance. Exemplary practices may also be sought from local area long term home care and treatment facilities. 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.

#### **Medically Fragile and/or Students with Special Needs**

Principals should share detailed emergency plans with emergency personnel that prioritize the evacuation of students and staff who are medically fragile, have special needs, and/or other considerations

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. Schools should practise both partial and full evacuations for a bomb/explosive device threat.

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.

If the evacuation involves the transportation of students to an emergency site both school board approved and local transit can be called to assist in consultation with appropriate superintendent(s).

### **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 by the police in conjunction with the principal 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. They should be asked to keep their eyes open for unusual packages, and, where possible, staff who are designated to conduct visual scans 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. Police will help direct the evacuation area. At a minimum a 360 degree clearance of a specific location may occur (Example specific hallway or large area (library or cafeteria). If there is any doubt about the size or nature of a device best practice will be the complete evacuation of a site/school.

## **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/or landline telephones (no cell phones) 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/cell phone communication in a bomb threat situation. Once a bomb/explosive device threat has occurred the principal should order all radios/cell phones to be turned off.**

### ***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 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/are recommended. Once at the location(s), staff and students shall remain at that location(s) 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**

Each school board must ensure that its staff students and other stakeholders are aware of their obligations and responsibilities within 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 (IEP).

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 student's home or having dedicated space on your school webpage 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 be initiated. In all cases, communication with students, staff and parents is vital.

### **Plan Review**

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

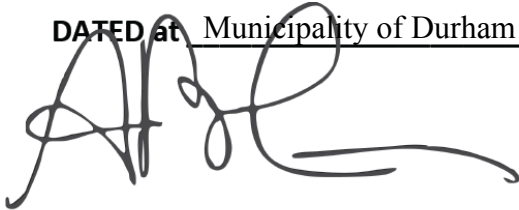
### **Effective Practices**

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.

## SIGNATORIES TO THE PROTOCOL

As representatives of our respective organizations we, the undersigned, give our support and that of our organization to this Protocol document.

DATED at Municipality of Durham this 1st day of September 2016.



Conseil scolaire de district catholique Centre-Sud  
André Blais, Directeur de l'éducation

August 22, 2016

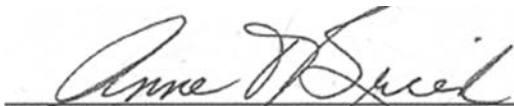
Date



Conseil scolaire Viamonde  
Martin Bertrand, directeur de l'éducation

2016-08-24

Date



Durham Catholic District School Board  
Anne O'Brien, Director of Education

June 29, 2016

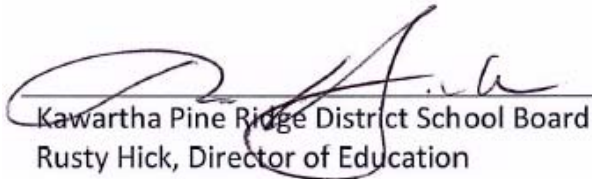
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Durham District School Board  
Lisa Millar, Director of Education

June 28/2016

Date



Kawartha Pine Ridge District School Board  
Rusty Hick, Director of Education

July 8, 2016

Date



Peterborough Victoria Northumberland and  
Clarington Catholic District School Board  
Barbara McMorow, Director of Education

July 5, 2016

Date

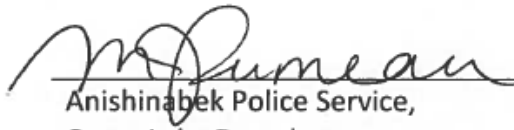


Trillium Lakelands District School Board  
Larry Hope, Director of Education

July 11/16

Date

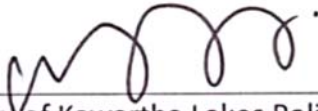




Anishinabek Police Service,  
Curve Lake Detachment  
Matti Primeau, Sergeant

2016/ July 13

Date



City of Kawartha Lakes Police Service  
John Hagarty, Chief of Police

2016-07-07

Date



Cobourg Police Service  
Kai Liu, Chief of Police

4 July 2016

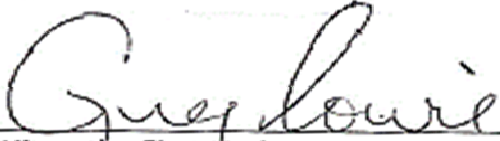
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Durham Regional Police Service  
Paul Martin, Chief of Police

July 18, 2016

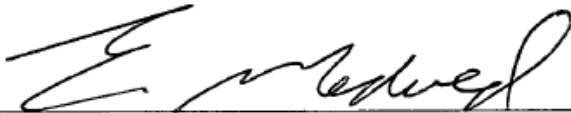
Date



Hiawatha First Nation  
Greg Cowie, Chief

September 1, 2016

Date



Ontario Provincial Police,  
Bracebridge Detachment  
Ed Medved, Inspector

19 July 2016

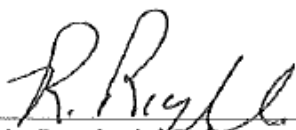
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Ontario Provincial Police,  
City of Kawartha Lakes Detachment  
Cathy Bell, Inspector

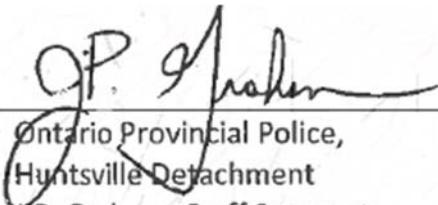
30 Jun 2016

Date



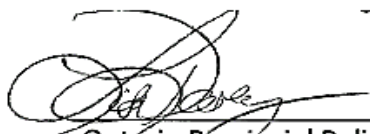
Ontario Provincial Police,  
Haliburton Highlands Detachment  
Richard Riopelle, Staff Sergeant  
Detachment Commander

05 JUL 16  
Date



Ontario Provincial Police,  
Huntsville Detachment  
J.P. Graham, Staff Sergeant

13 July 2016  
Date



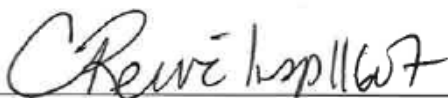
Ontario Provincial Police,  
Northumberland Detachment  
Lisa Darling, Inspector

11 July 2016  
Date



Ontario Provincial Police,  
Peterborough Detachment  
Tim Tatchell, Inspector

04 Jul 16  
Date



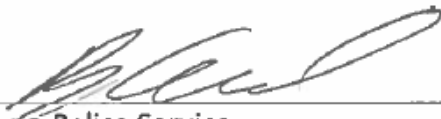
Ontario Provincial Police,  
Quinte West Detachment  
Christina Reive, Inspector

4 July 2016  
Date



Peterborough Police Service  
Murray Rodd, Chief of Police

13 July 16  
Date



Port Hope Police Service  
Bryant Wood, Chief of Police

30 June 2016  
Date

# RESOURCES



## Resource A: Emergency Lockdown Procedures Debrief

Type of Response: <input type="checkbox"/> Fire <input type="checkbox"/> Lockdown <input type="checkbox"/> Hold & Secure <input type="checkbox"/> Shelter in Place <input type="checkbox"/> Bomb Threat			
Initiated by:		<input type="checkbox"/> Actual	<input type="checkbox"/> Drill
Date:	Time Initiated:	Time Lifted:	
Time 911 Called:		Time Board Official Alerted:	
Assistance Provided by: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Administration  <input type="checkbox"/> School Emergency Response Team         </div> <div> <input type="checkbox"/> Police  <input type="checkbox"/> Fire         </div> <div> <input type="checkbox"/> EMS  <input type="checkbox"/> Board Emergency Response Team         </div> <div> <input type="checkbox"/> Other: _____         </div> </div>			
<b>Procedures:</b>			
Successfully Completed:			
Areas for Improvement:			
<b>Participants in Debrief:</b> <input type="checkbox"/> Administration <input type="checkbox"/> School Emergency Response Team		<b>Date of Debrief:</b> <input type="checkbox"/> Police <input type="checkbox"/> Fire <input type="checkbox"/> EMS <input type="checkbox"/> Board Emergency Response Team <input type="checkbox"/> Other	

Recorded by: \_\_\_\_\_

# Emergency Response Announcements



## **LOCKDOWN**

To be used in response to a threat of danger **inside** the school

### **Lockdown Announcement:**



Attention staff, students and visitors. The school is now in Lockdown. This is not a drill. All students and visitors should report immediately to the nearest classroom. Staff, please initiate Lockdown procedures as detailed on the classroom emergency response sheet. **(Read 2x if possible)**



## **HOLD & SECURE**

To be used in response to a threat of danger **outside** the school

### **Hold & Secure Announcement:**



Attention staff, students and visitors. The school is now in Hold and Secure. This is not a drill. Staff, please close/lock your classroom door, close your blinds, take attendance and continue with your lessons. Members of the Emergency Response Team are asked to report to the office. **(Read 2x)**



## **SHELTER-IN-PLACE**

To be used in response to environmental danger (e.g., weather)

### **Shelter-In-Place Announcement:**



Attention staff, students and visitors. The school is now in a Shelter in Place. All students are to remain inside. Please close your blinds and move students away from the window. Members of the Emergency Response Team are asked to report to the office. (Note: The explanation of what staff and students are expected to do will be dependent on the reason for the Shelter in Place). **(Read 2x)**



## **BOMB THREAT**





To be used in response to a bomb threat

### **Bomb Threat Announcement:**



Attention staff, students and visitors. Members of the Emergency Response Team are asked to report to the office. (Note: The explanation of what staff and students are expected to do will be dependent on the reason for the bomb threat). **(Read 2x)**



 <b>LOCKDOWN</b> To be used in response to a threat of danger <b>inside</b> the school	 <b>HOLD &amp; SECURE</b> To be used in response to a threat of danger <b>outside</b> the school	 <b>SHELTER-IN-PLACE</b> To be used in response to environmental danger (e.g., weather)	 <b>BOMB THREAT</b> To be used in response to a bomb threat
GOAL FOR STAFF	GOAL FOR STAFF	GOAL FOR STAFF	GOAL FOR STAFF
To ensure all staff and students get to a secure location and make the location appear deserted (as quickly as possible).	To ensure all students remain inside and away from exterior doors and windows.	To ensure all instructions specific to the environmental hazard are followed.	To ensure all instructions for the bomb threat response are followed.
<b>R - REMAIN CALM</b> <b>S - SECURE</b> If safe to do so: <ul style="list-style-type: none"> <li>gather everyone in immediate area into nearest securable classroom/ space</li> <li>lock and barricade the door</li> <li>turn off lights</li> <li>close blinds and cover windows</li> </ul> <b>A - ALL QUIET</b> Tell everyone to remain absolutely quiet. <b>F - FIND THE SAFEST SPOT</b> Move everyone to the pre-determined safe area in the room. In a portable, move to the middle of the room and turn tops of desks outward – with all staff and students inside the circle <b>E - ELECTRONIC DEVICES OFF</b> Tell everyone to turn off and put away all cell phones.	Close the classroom door. Close the blinds and keep everyone away from windows. Take attendance. Continue classroom routines/lessons. Do not change classes or go outside until the Hold and Secure is lifted. Staff and students in portables may be relocated into the school in consultation with emergency services personnel.	Follow the instructions for a <b>Hold and Secure</b> , unless given directions specific to the environmental hazard. <b>For example:</b> Hurricane/Tornado: move away from outside walls and windows, take cover under desks or in the hallway. Earthquake: move away from windows and possible falling objects; get on the ground and under desk.	If directed to do so, conduct a visual scan of the immediate area for a suspicious package/device. Staff or students should never touch a suspicious package/device. If a suspicious package/device is located, inform Administration immediately so evacuation decisions can be made. If directed to do so, follow evacuation instructions. Evacuees should take personal belongings from the immediate area to assist the police search. Turn off and put away all cell phones.
<b>In the event of a fire alarm during any of these situations:</b> <ul style="list-style-type: none"> <li>Remain in position until directed by emergency personnel unless there is an obvious and imminent risk of fire.</li> </ul> The termination of a Lockdown, Hold and Secure, Shelter in Place or Bomb Threat Response will be announced over the P.A. or ended on a room to room basis by Police or Administration.			





## Resource B: Bomb Threat Phone Response Card

### When a Bomb Threat is Received:

1. Listen
2. Be Calm and courteous
3. Do not interrupt caller
4. Obtain as much information as possible
5. Initiate call trace action (if available)
6. Using a pre-arranged signal, notify the Principal or Vice Principal
7. Principal or Vice Principal will contact the police immediately
8. Complete this form and give to the supervisor

### Details of the Call:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Duration of Call: \_\_\_\_\_ Phone Line Call: \_\_\_\_\_

### Exact Wording of Threat:

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### Questions to Ask:

1. What time will the bomb explode
2. Where is it?
3. What does it look like?
4. Where are you calling from?
5. Why did you place a bomb?
6. What is your name?

### Identifying Characteristics:

**Gender:** ☐ Male ☐ Female ☐ Not Sure

**Voice:** ☐ Loud ☐ Soft ☐ Other

**Speech:** ☐ Fast ☐ Slow ☐ Other

**Diction:** ☐ Good ☐ Nasal ☐ Lisp

Other: \_\_\_\_\_

**Manners:** ☐ Emotional ☐ Calm ☐ Vulgar

Other: \_\_\_\_\_

Background Noises: \_\_\_\_\_

Estimated Age: \_\_\_\_\_ Voice was Familiar: ☐ Yes ☐ No Details: \_\_\_\_\_

Caller was familiar with the Area: ☐ Yes ☐ No Details: \_\_\_\_\_



## Resource C:      **Mandatory and Discretionary Notification of Police**

### **Police/School Board Protocol 2016**

<b>Mandatory Notification of Police</b>	<b>Discretionary Notification of Police</b>
<p><b>At a minimum, the police must be notified of the following types of incidents:</b></p> <ul style="list-style-type: none"> <li>• all deaths;</li> <li>• physical assault causing bodily harm* requiring medical attention*;</li> <li>• sexual assault*;</li> <li>• robbery*;</li> <li>• criminal harassment*;</li> <li>• relationship-based violence*;</li> <li>• possessing a weapon*, including possessing a firearm;</li> <li>• using a weapon* to cause or to threaten bodily harm to another person;</li> <li>• trafficking* in weapons* or in illegal drugs;</li> <li>• possessing an illegal drug;</li> <li>• hate and/or bias-motivated occurrences*;</li> <li>• gang-related occurrences*;</li> <li>• extortion*; sharing of non-consensual of intimate images*</li> <li>• human trafficking specific offences.</li> </ul>	<p>Police response may also be needed in connection with the following types of incidents:</p> <ul style="list-style-type: none"> <li>• giving alcohol to a minor;</li> <li>• being under the influence of alcohol or illegal drugs;</li> <li>• physical assault;</li> <li>• threats* of a serious physical injury, including threats* made on social networking sites or through instant messaging, text messaging, e-mail, and so on;</li> <li>• incidents of vandalism*; and</li> <li>• trespassing* incidents.</li> </ul>

\*Indicates that the definition is provided in Appendix A of the 2016 Police School Board Protocol.

Mandatory police reporting does not mean that police will lay charges in every situation, however, for the incidents listed above, 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\*.

For students under 12 years of age and students with special education needs, there are circumstances where a police response is neither necessary nor appropriate. Refer to sections 15 and 16 for further information on dealing with students under the age of 12 or students with special education needs.

Principals should consider mitigating and other factors when deciding whether to call the police in 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.



## **Resource D: Resources to Support Principals Dealing with Sexting and Luring**

**Sexting** involves creating, sending, receiving, or sharing sexual messages, images and/or videos using the Internet and/or electronic devices. Commonly these types of messages are intended only for the recipient; however, the sender has little control over these messages becoming public.

It is illegal to produce, possess or distribute naked or sexually explicit pictures and/or videos of young people under 18 years of age.

**Luring** as the use of telecommunication to communicate with someone who is, or who the perpetrator believes to be, under the age of 18, for the purpose of facilitating the commission of an offence against that child.

### **School Response to Luring and Sexting**

#### **School Principals**

1. If luring is suspected, call police, notify Superintendent.
2. Principal becomes aware of an alleged Sexting event:  
If incident has occurred on school property or Nexus has been established:
  - Confiscate the technology. Ensure safe storage and consult with your Superintendent prior to searching for inappropriate photos/video.
  - Whenever possible, ensure the principal is of the same sex as the victim.
  - Police must be notified when the picture is of an individual suspected of being under the age of 18 and includes: nudity and/or sexual acts and/or sexualized poses.
  - If no nexus is established report incident to the police to investigate
3. **If police have been notified, stop investigation and take direction from Superintendent and consult with the police.**
4. If the image is shown voluntarily:
  - a. Make note of age and gender
    - i. Nudity vs. pornography
    - ii. Age and development
    - iii. Sexual act involved
  - DO NOT make copies, share or transmit any documents, images, videos of a sexually explicit nature.
  - Confiscate the technology and ensure safe storage and controlled access.
  - All documents, images, videos must be turned over to the police. Do not keep any copies.
  - Ensure that victims are supported.
5. Consult with Superintendent regarding further school action.

## **Sexting Incidents Within The School**

### **School Liaison or Sexual Assault Response Officer**

1. Attend the School.
2. Obtain information from the principal
3. Obtain a statement from the principal. What are the allegations? Has the electronic device been seized? How did they come into possession of the electronic device? Has the electronic device been searched? What has been observed? By whom? Include age, gender, nudity vs. Pornography, per-pubescent development, sexual act involved.
4. Seize the electronic device from principal (if they seized electronic device from student).
5. If electronic device is seized...**DO NOT LOOK AT CONTENTS OF ELECTRONIC DEVICE....**this requires a warrant.
6. **If the electronic device was not seized by principal, determine its whereabouts, and if ground exist, seize the electronic device to prevent destruction of evidence.**
7. **Call the Internet Child Exploitation Unit (I.C.E) and advise them of incident.**
8. I.C.E. will either give directions or take over investigation. (They case manage all sexting cases.)
9. Submit a report.
10. If the I.C.E. Unit is taking over, submit Property Report and turn the electronic device over to a member of the I.C.E. unit. If the I.C.E. Unit is not available, put the electronic device in a property locker and email the I.C.E. Unit with the incident number and locker number that it is in. If possible, the electronic device should be put in an independent locker and sealed.

## Resource E:      Parallel Investigations Flow Charts

Police and principals will work together to ensure that the schools meet the requirements of the *Education Act* and that police maintain the integrity of criminal investigations. (Refer to section 12 for more details).

### Children Under the Age of 12

When children under the age of 12 are involved, principals are expected to use their discretion in applying the rules outlined in section 12 for reporting incidents to the police. Children under 12 cannot be charged with an offence under the *Criminal Code*, *Youth Criminal Justice Act*, or the *Provincial Offences Act*, but police may take reports of incidents allegedly committed by students in this age group and may respond in an appropriate manner. (Refer to section 16 for more details)

### Sexual Assaults and/or Human Trafficking:

The following parallel investigation flowcharts provide a framework to help principals and police understand the role each other plays in the investigation of a serious incident.

These parallel investigation flowcharts recognize that the investigation of a sexual assault requires a different response from the school team than any other incident requiring notification of the police.

The flowcharts outline the process to follow when the accused is a student of the school. However, the school response to the accusation of a sexual assault is the same whether the accused is a student from a different school, an adult, a parent, a relative or a staff member.

It is critical that the school takes immediate direction from the police in all situations regarding the accusation of a sexual assault so as to not compromise the investigation or re-victimize the victim.

### Sexual Assaults when a School Board Employee is the Accused:

If the accused is an employee of the Board, once the police investigation is concluded or police have determined that no charges will be laid, the school can proceed with their school based investigation as part of their human resources procedures.

### Flowcharts:

Parallel Investigation - Discretionary Notification of Police

Parallel Investigation - Mandatory Notification of Police Excluding Sexual Assault

Parallel Investigation – Notification of an incident reported directly to the Police

Parallel Investigation - Sexual Assault Reported Directly by a student to School Staff

Parallel Investigation - Sexual Assault Reported to School Staff by a Third Party

## Parallel Investigations

### Discretionary Notification of Police

#### *School Investigation – Step One*

1. Administration investigates the situation to determine the validity of the alleged event
2. Administration gathers information, following Board protocol and interviews those involved
3. Administration determines whether the incident requires contact with the police. This could be the school's Police Liaison Officer or, if an immediate response is required, Police Dispatch.
4. Contact the police to report the incident. Consideration for next steps may include:
  - suspending the investigation
  - proceeding with the investigation (move to Stage Two of School Investigation)
  - securing the potential crime scene
  - retaining students beyond dismissal
5. Consult with police to determine if the school will be the location to conduct interviews.
6. Consult with police to determine who and when the parent/guardian will be contacted if the student is to be interviewed at school by police.
7. Consult with the police to determine who will contact the parent/guardian of the witnesses.
8. Administration will inform the police of the timelines required for a school investigation if a suspension/expulsion is being considered.

#### *Police Investigation*

1. The Officer takes the report and investigates if needed. Police will inform administration whether or not to proceed with their investigation or whether the investigation needs to be suspended.
2. Evidence will be seized by the police if applicable.
3. In consultation with the Administration of the school, determine whether interviews need to take place at school.
4. Witnesses are interviewed.
5. If there are grounds to arrest, the accused is taken into custody and formally charged.
6. The accused is interviewed.
7. Depending on the nature of the offence, the accused may be held in custody or released with conditions.
8. Police may share information and administration takes notes.

#### *School Investigation – Step Two*

Once the criminal investigation is concluded or the police have determined that no charges will be laid, the school in consultation with the police, may proceed with their school-based investigation.

- Administration follows the Board protocol for investigations and gathers any further information needed.
- Administration decides on school-based response which may include progressive discipline, restorative practice and other supports.

*NB: Throughout the investigation, police will communicate with school administration as required to ensure school safety while maintaining the integrity of the criminal investigation.*



## **Parallel Investigations**

### **Mandatory Notification of Police Excluding Sexual Assault**

#### ***School Investigation – Step One***

1. Administration investigates the situation to determine the validity of the alleged event.
2. Contact the police to report the incident. Consideration for next steps may include:
  - suspending the investigation
  - proceeding with the investigation (move to Stage Two of School Investigation)
  - securing the potential crime scene
  - retaining students beyond dismissal
3. Consult with police to determine if the school will be the location for interviews.
4. Consult with police to determine who and when the parent/guardian will be contacted if the student subject is to be interviewed at school by police.
5. Consult with the police to determine who will contact the parent/guardian of the witnesses
6. Administration will inform the police of the timelines required for a school-based investigation if a suspension/expulsion is being considered.

#### ***Police Investigation***

1. The Officer takes the report and investigates. Police will inform administration school whether or not to proceed with their investigation or whether the investigation needs to be suspended.
2. Evidence will be seized by police if applicable.
3. In consultation with the Administration of the school, determine whether interviews need to take place at school.
4. Witnesses are interviewed.
5. If there are grounds to arrest, the accused is taken into custody and formally charged.
6. The accused is interviewed.
7. Depending on the nature of the offence, the accused may be held in custody or released with conditions.
8. Police may share information and the administration takes notes.

#### ***School Investigation – Step Two***

Once the criminal investigation is concluded or the police have determined that no charges will be laid, the school in consultation with the police, may proceed with their school-based investigation.


- Administration follows the Board protocol for investigations to gather information and interview those involved.
- To minimize the impact on the victim rather than interviewing the victim again, consideration should be given to relying on information provided by police.
- Administration decides on school-based response which may include progressive discipline, restorative practice and other supports.

*NB: Throughout the investigation, police will communicate with school administration as required to ensure school safety while maintaining the integrity of the criminal investigation.*

## **Parallel Investigations**

### **Notification of an Incident Reported Directly to the Police**

#### ***Police Investigation***

1. Police will take the report and investigate.
  2. Police inform the school of the incident if it has potential impact on the safety of other students. If appropriate, police will inform the administration, of a criminal investigation.
  3. Evidence is seized if applicable.
  4. Witnesses are interviewed.
  5. If there are grounds to arrest, the accused is taken into custody and formally charged.
  6. The accused is interviewed.
  7. Depending on the nature of the offence, the accused may be held in custody or released with conditions.
  8. Police may share information and administration takes notes.
- 

#### ***School Investigation***

1. School decides on school-based actions/Progressive discipline in consultation with the police
2. School investigates according to Board protocol when told by the police to proceed with the school investigation.
3. School gathers information and interviews those involved in consultation with the police.
4. School decides on any school-based consequences and follows appropriate progressive discipline.

*NB: Throughout the investigation, police will communicate with school administration as required to ensure school safety while maintaining the integrity of the criminal investigation.*

## Parallel Investigations

### Sexual Assault Reported Directly by a Student to School Staff

#### *School Investigation – Step One*

1. Address any medical or safety concerns first (i.e., get medical attention for an injury).
2. Establish a safe and private environment for the victim.
3. If, due to the information provided by the victim, you reasonably suspect a sexual offence has occurred, the school investigation **STOPS** immediately, other than providing support. Do not let the victim continue to disclose information. Proceed to #5.
4. If you do not have sufficient information from the victim to reasonably suspect a criminal offence has occurred, continue to speak with the victim but do NOT ask probing or leading questions. Do not have the victim record his/her report. School staff should document information provided by the victim. Ask only open-ended questions such as “Can you tell me what happened?” Once you reasonably suspect that an offence may have occurred, the school investigation STOPS immediately. Do not let the victim continue to disclose information.
5. Contact the police IMMEDIATELY to report the incident and for direction on next steps, that may include:
  - seeking immediate medical attention for the preservation of evidence (e.g., saliva or other bodily fluids)
  - securing the potential crime scene by preventing the access to the area (e.g., if the incident occurred in the washroom, lock the washroom)
  - separating the victim and the subject of the investigation (if known) in a private, safe location
6. Contact your Superintendent, and make a report to Children’s Aid Society.
7. Contact the parent/guardian of the victim only in consultation with the police. Do not contact the parents of the subject of the investigation.

NOTE: Delaying contact with the police or obtaining more information than necessary can seriously compromise a criminal investigation, thus putting others at risk for further incidents. The school based investigation MAY NOT continue until the police have completed their investigation.

#### *Police Investigation*

1. Officer notifies the victim’s parent and takes the report (potentially at the school)
2. Victim attends the Domestic Violence Sexual Assault Care Centre (if applicable) to have Sexual Assault Evidence Kit completed.
3. Seizure of evidence (e.g., clothing) if applicable.
4. CAS is notified (by police) and works in tandem with police.
5. Witnesses are interviewed.
6. If there are grounds to arrest, the accused is taken into custody and formally charged.
7. The accused is interviewed. Depending on the nature of the offence, the accused may be held in custody or released with conditions.

#### *School Investigation – Step Two*

Once the criminal investigation is concluded or the police have determined that no charges will be laid, the school, in consultation with the police, may proceed with their school-based investigation.

- To minimize the impact on the victim, rather than interviewing the victim again, consideration should be given to relying on information provided by police.
- Administration decides on school based response which may include progressive discipline, restorative practices and other supports.

*NB: Throughout the investigation, police will communicate with school administration as required to ensure school safety while maintaining the integrity of the criminal investigation.*

## Parallel Investigations

### Sexual Assault Reported to School Staff by a Third Party

(e.g., parent of victim)

#### *School Investigation – Step One*

1. If school staff receive information from a third party that a student is a victim of a sexual assault (e.g., from another student or a parent), and that information leads school staff to reasonably suspect that an offence has occurred, then ensure that the victim is safe and address any medical or safety issues. You do not require firsthand information from the victim to contact the police. Do not speak to the victim about the offence.
2. Contact the police IMMEDIATELY to report the incident and for direction on next steps which may include:
  - seeking immediate medical attention, for the preservation of evidence (e.g., saliva or other bodily fluids);
  - securing the potential crime scene by preventing the access of others to the area (e.g., if the incident occurred in the washroom, lock the washroom to prevent access);
  - separating the victim and the subject of the investigation (if known) in a private, safe location.
3. Contact your Superintendent, and make a report to Children's Aid Society.
4. Contact the parent/guardian of the victim if they were not the third party reporting the incident in consultation with the police. Do not contact the parents of the subject of the investigation.

NOTE: Delaying contact with the police or obtaining more information than necessary can seriously compromise a criminal investigation, thus putting others at risk. The school-based investigation MAY NOT continue until the police have given permission to do so.

#### *Police Investigation*

1. Officer notifies the victim's parent and takes the report (potentially at the school).
2. Victim attends the Domestic Violence Sexual Assault Care Centre (if applicable) to have Sexual Assault Evidence Kit completed.
3. Seizure of evidence (e.g., clothing) if applicable.
4. CAS is notified and work in tandem with police.
5. Witnesses are interviewed.
6. If there are grounds to arrest, the accused is taken into custody and formally charged.
7. The accused is interviewed. Depending on the nature of the offence, the accused may be held in custody or released with conditions.

#### *School Investigation*

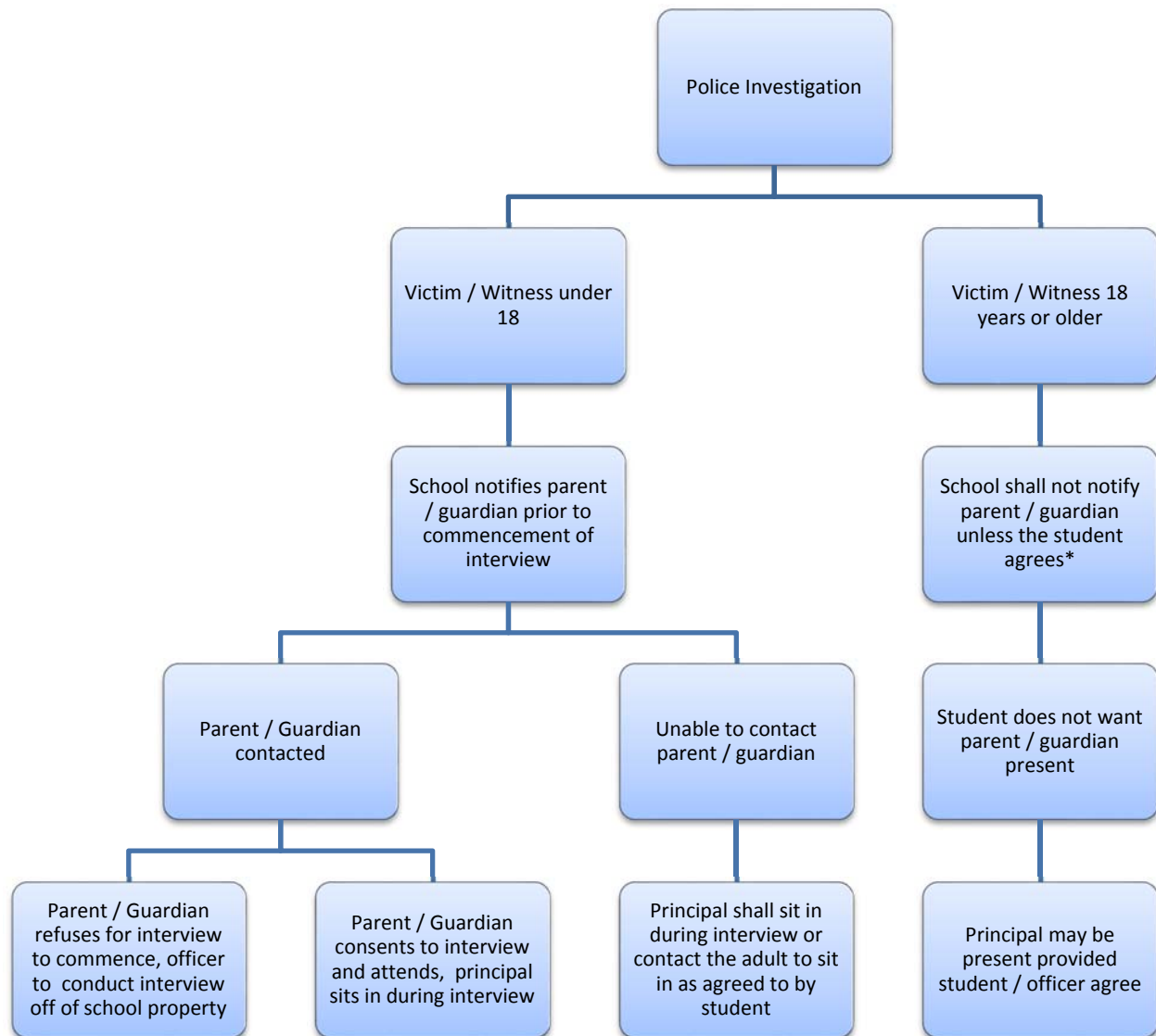
Once the criminal investigation is concluded or police have determined that no charges will be laid, the school, in consultation with the police, may proceed with their school-based investigation.

- To minimize the impact on the victim, rather than interviewing the victim again, consideration should be given to relying on information obtained by police
- Administration decides on school based response which may include progressive discipline, restorative practice and other supports.

*NB: Throughout the investigation, police will communicate with school administration as required to ensure school safety while maintaining the integrity of the criminal investigation.*

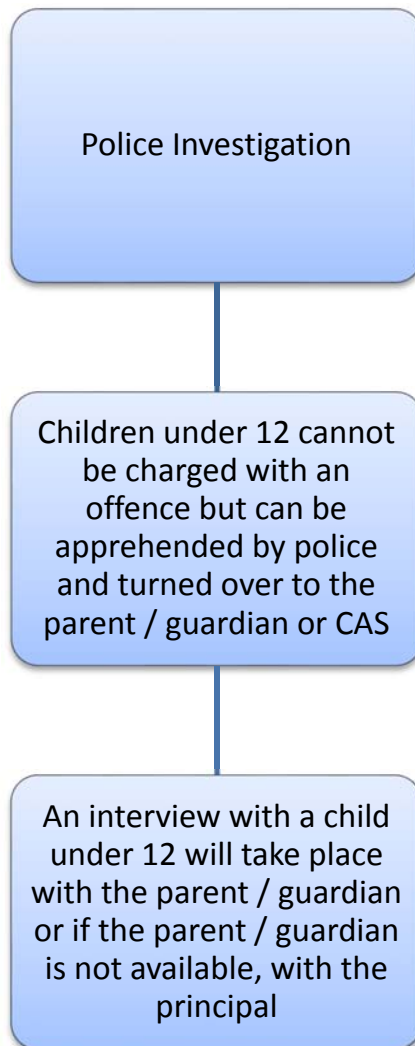
## Resource F: Notification Flowchart

### (a) Victims and Witnesses



\*For exceptions and further information, refer to Section 12, Interviewing Students Considered to be Witnesses or Victims

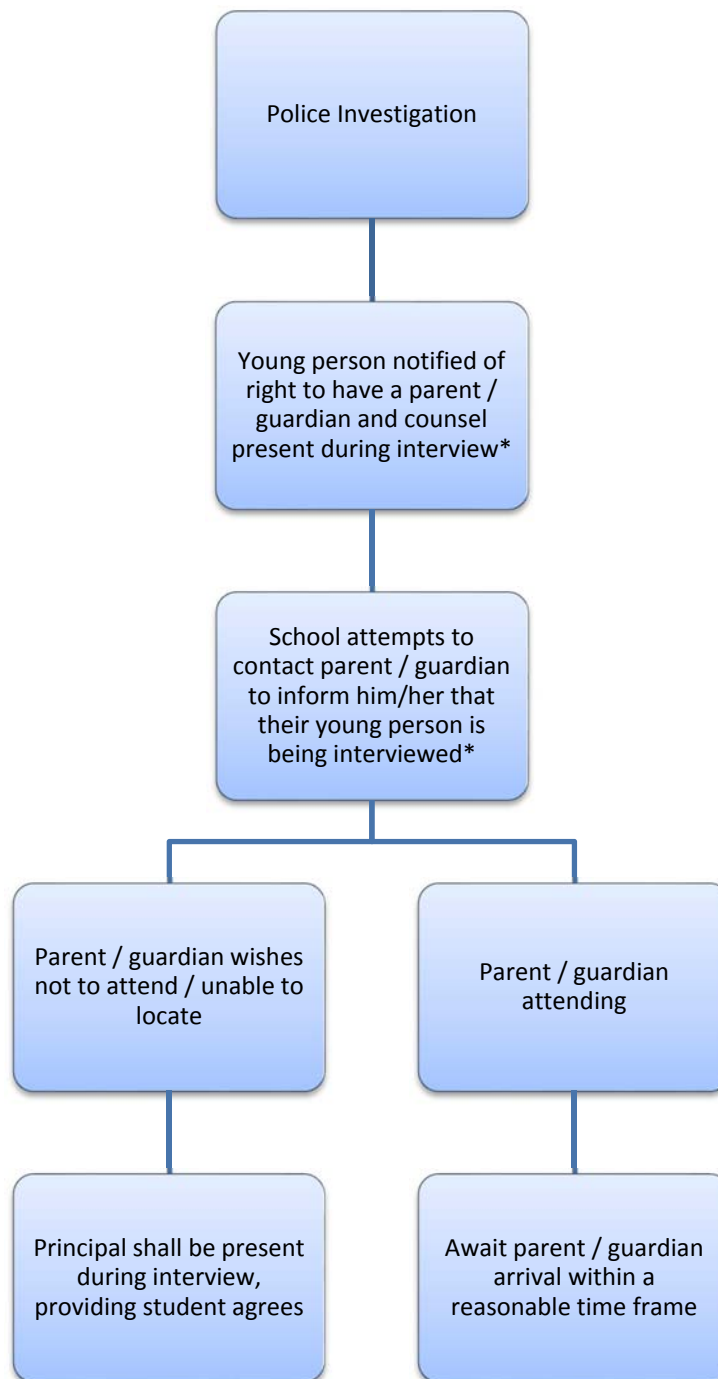
**(b) Suspects under the age of 12**



\*For exceptions and further information, refer to Section 12, Interviewing Students Considered to be Suspects or Accused – Students Under 12 Years of Age

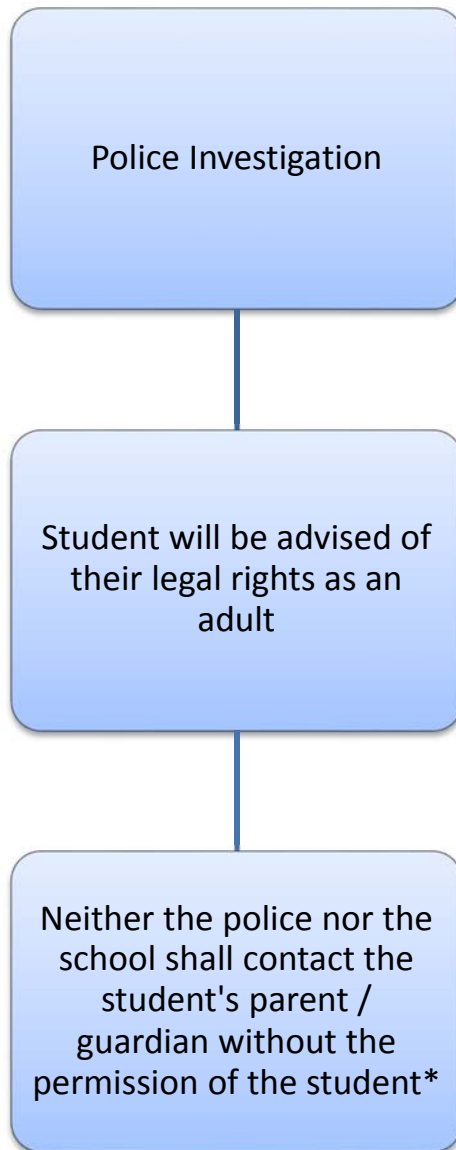
Refer to CAS Protocols where available

**(c) Suspects 12 to 17 years**



\*For exceptions and further information, refer to Section 12, Interviewing Students Considered to be Suspects or Accused – Students between 12 – 17 years of Age

**(d) Suspects 18 years and older**



\*For exceptions and further information, refer to Section 12, Interviewing Students Considered to be Suspects or Accused, Students 18 Years of Age and Older



Resource G:

**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: ☐ YesDo 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: ☐ YesDo 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



## **Resource H:        Referenced Legislation**

*The Canadian Charter of Rights and Freedoms* – <http://laws-lois.justice.gc.ca/eng/charter/>

*The Criminal Code of Canada* – section 487.1.1 of the *Criminal Code*

*The Youth Criminal Justice Act* (YCJA) – Refer to Part 6 (ss.110 to 129) of the YCJA, “Publication, Records and Information”)

*The Education Act* – *Education Act*, R.S.O. 1990

*The Police Services Act*

*The Ontario Human Rights Code* – [http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90h19\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm)

*Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) – (Office of the Information and Privacy Commissioner’s Guide to Ontario Legislation Covering the Release of Students’ Personal Information or MFIPPA Subsection 32)

*Freedom of Information and protection of Privacy Act-RSO. 1990*

*Controlled Drug and Substances Act-S.C. 1996*

*Accessibility for Ontarians with Disabilities Act-SO.2005*

*The Child and Family Services Act* (CFSA) – CFSA subsection 72