



ADMINISTRATIVE PROCEDURE	
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<i>Review Date</i> 2020	<i>Page</i> 1 of 13
<i>Contact Person/Department</i> Superintendent of Safe and Accepting Schools	<i>Identification</i> HR – 4520

RESPONDING TO STUDENT VIOLENCE TOWARDS STAFF

1.0 PURPOSE

Trillium Lakelands District School Board recognizes its responsibility, in partnership with pupils, their families, the community, and staff, to provide a safe and caring violence-free learning and working environment for students, staff, community partners, volunteers, and the general public.

The Board will provide schools with direction for dealing with situations in which the violent behaviour of a student has resulted in injury to a board employee.

It is recognized that enhanced measures for all stakeholders may be required while delivering education services, and to manage any violent or aggressive student behaviour.

Some students with special needs may, at times, exhibit behaviours that may be considered violent as part of the nature of their exceptionality. The behaviours, when they occur, may not necessarily be intended to harm others, and occur due to limited control over their actions, or environmental conditions by which they can be adversely affected.

TLDSB recognizes that despite the challenges presented by the behaviour of some students, a safe environment must be maintained. This safe environment can be achieved through effective educational programming, programming to address exceptionality-specific needs, staff training, and effective incident response procedures.

2.0 REFERENCES/RELATED DOCUMENTS

- 2.1 *Education Act*
- 2.2 *Occupational Health and Safety Act*
- 2.3 TLDSB Code of Conduct Policy OP-6020 and Procedure OP-6021
- 2.4 TLDSB Physical Intervention Guidelines for Responding to Injurious and Self Injurious Behaviour of Students Policy OP-6550 and Procedure OP-6551
- 2.5 TLDSB Incident/Accident/Injury Reporting and Investigation Procedure HR-4208
- 2.6 TLDSB Refusal to Work Procedure HR-4210
- 2.7 TLDSB Site Based JOHSC Procedure HR-4201

3.0 TERMS AND DEFINITIONS

3.1 VIOLENT ACTIVITY

Verbal, physical, written or cyber threats, annoyance, molestation or harassment; actual or threatened use of physical force; may have underlying emotional, sexual, gender or racial bias which has or might have the effect of endangering the health and welfare of students or staff members; actual or threatened use of physical force or actual or threatened use of a weapon which has the effect of endangering students or staff members. Procedure OP 6021 Code of Conduct contains further detailed information about definitions and responses towards students for violent or aggressive behaviour. Specific examples of behaviours are also referenced in the Incident /Accident/Injury Reporting Procedure HR-4208.

4.0 ADMINISTRATIVE PROCEDURE

4.1 BACKGROUND

- 4.1.1 Principals, Vice Principals, teachers, special education resource teachers, educational assistants, DECEs (Designated Early Childhood Educators) and student services staff deliver instructional services to students with special needs. As well, secretaries and custodians are involved in supporting students.
- 4.1.2 Incidents involving injury to staff do sometimes occur in schools. On occasion, violent behaviour may be directed toward staff members resulting in physical or emotional injury and/or trauma to the board employee.
- 4.1.3 TLDSB will take all reasonable precautions to ensure the safety of staff and students for anticipated and unanticipated acts that result in physical or emotional injury and/or trauma to staff due to student behaviour.
- 4.1.4 TLDSB is committed to working with staff and students to proactively plan to minimize occurrences of injury and/or trauma, and to respond effectively when unsafe situations arise.

4.2 RESPONSIBILITIES

- 4.2.1 Board staff have varying responsibilities depending on their role, however all staff must work together to respond appropriately to incidents that occur.

- 4.2.2 It is the responsibility of the Superintendent of Special Education and Safe and Accepting Schools and the District Principal of Special Education to oversee program adjustments, staff or resource needs that may be required to balance safety and learning needs of students.
 - 4.2.3 It is the responsibility of the Human Resources Administrator to assist with procedures for employee support, deployment, and response to concerns.
 - 4.2.4 It is the responsibility of the appropriate Superintendent to provide approval and advice to implement this procedure, and to communicate with the Ministry of Labour, Ontario School Boards' Insurance Exchange, or the Joint Health and Safety Committees (JOHSC) where appropriate.
 - 4.2.5 It is the responsibility of the principal to respond to concerns about staff or student safety, to investigate and develop follow up plans regarding incidents, and to communicate this procedure to staff.
 - 4.2.6 It is the responsibility of TLDSB staff to report safety concerns to the principal and the JOHSC worker member on site.
 - 4.2.7 It is the responsibility of all staff to follow instructions for safety procedures in the school, to engage in training as directed by the principal, to follow procedures outlined in student Individual Education Plans and Safety Plans.
 - 4.2.8 It is the responsibility of the workplace JOHSC member to monitor and review concerns regarding the elements of the procedure.
- 4.3 GENERAL PROCEDURES TO PREVENT OCCURRENCES OF VIOLENCE TOWARDS STAFF
- 4.3.1 Wherever possible, preventative planning must take place to be prepared for situations where violence may occur. This includes:
 - a) Whenever possible - the identification of students with a strong potential for violent behaviour;
 - b) The development of plans to prevent occurrences of violent behaviour – (i.e. individual student Safety Plans or school-wide safety plans).

- 4.3.2 TLDSB procedure - OP 6550 Physical Intervention Guidelines for Responding to Injurious and Self Injurious Behaviour of Students provides guidelines for preparing in advance for anticipated or unanticipated student violence. The Safety Plan template is located in Procedure OP-6550 and will be completed electronically in the IEP database.
- 4.3.3 For a student to have a Safety Plan, they do not need to be identified as an exceptional student nor do they necessarily need an Individual Education Plan.
- 4.3.4 How consequences are applied may be modified or mitigated to meet the exceptional needs of some students. Responses, however, will be consistent with the policies and procedures of TLDSB and legislation found in the Education Act and Regulations, Ontario Human Rights Commission, *Occupational Health and Safety Act*, Child and Family Services Act, and Criminal Code of Canada.
- 4.3.5 The following information outlines the requirements for the process of prevention of occurrences of violence against staff:
- a) All individuals, including students, will take a pro-active role in preventing violence;
 - b) Staff will work with students and parents to maintain safe schools;
 - c) At the initiation of the principal, an individualized Safety Plan will be developed for a student whose behaviour is known to pose ongoing risk to self, students, staff or others. This knowledge would be obtained through the board's high needs entry process for students who are new to TLDSB and/or by information brought to the attention of the school intervention team;
 - d) Teachers will participate in the development of the Safety Plan and will gather input from educational assistants, parents/guardian, student and other staff as appropriate;
 - e) Teachers and educational assistants will receive copies of safety plans for those students with whom they directly work;
 - f) The principal is responsible for informing and making available to all staff, including supply staff, existing or new Safety Plans. (e.g. dedicated staff meeting time, shared drive, supply staff materials);
 - g) The Safety Plan will be discussed with the parents and the appropriate staff, and its resultant expectations and modifications will be documented and reviewed as necessary, but at least annually;
 - h) The review of the Safety Plan will be used to identify and facilitate staff training and orientation appropriate for staff assigned to that student;

- i) In case of a student transfer to a new school within the board, principals are responsible for ensuring that Safety Plans are brought to the new school's attention.

4.4 STAFF TRAINING

Staff training is an essential part of effective violence prevention planning.

4.4.1 TLDSB staff training courses emphasize that all students have different levels of physical and emotional maturity, cognitive reasoning ability and background stressors; in rare circumstances these may contribute to any student exhibiting unsafe behaviours. In addition, enhanced training measures may be required for staff dealing with students with known high levels of needs.

4.4.2 The following training materials and methods will form the basis of ongoing training. These materials will be reviewed regularly, and additions or revisions will be made as appropriate to this list:

- a) Behaviour Management Systems Training (BMST): one day course;
- b) BMST Videos: Physical Techniques;
- c) BMST Recertification Course: offered annually, 3 hours;
- d) TLDSB Physical Intervention Procedures; e-learning course and manual;
- e) Student specific training for staff or students who's Safety Plan cites the need for physical intervention;
- f) Collaborative and Proactive Solutions (CaPS);
- g) Restorative Practices.

4.4.3 Employees will be expected to undertake training where it is deemed necessary, to deal effectively and proactively with students demonstrating violent behaviour. The Board will provide opportunities for training as required by the *Occupational Health & Safety Act*.

4.4.4 For staff routinely working with students with special needs who have challenging behaviours, the level of training will need to be in accordance with the level of behaviour presented by the students.

4.4.5 An annual training plan outlining the available training for individual staff groups will be prepared for the system by the Department of Specialized Services and Student Well-Being. Training is also available by referral or request.

4.5 SPECIFIC INCIDENT PROCEDURES TO ADDRESS INJURY AND/OR TRAUMA TO A STAFF MEMBER

The following guidelines are intended to support school staff in dealing with a violent or aggressive behavioural situation involving the injury and/or trauma to a staff member resulting from challenging student behaviour. (Also see summary checklist in Appendices)

4.5.1 IMMEDIATE ACTIONS

- a) Employees will report to the principal or designate as soon as possible:
 - i. an injury or trauma caused by student behaviour;
 - ii. any situation in which an employee requires medical, emotional, or other assistance due to a student action or threat.
- b) The principal or designate will conduct a preliminary investigation to assess the seriousness of the incident and immediate responses needed.
- c) It is the responsibility of all staff to ensure that the safety and physical well-being of the student(s) and employee(s) involved are attended to immediately.
- d) The principal or designate will ensure that all persons involved are safely and securely situated and will determine whether any person is in need of emergency first aid, emotional, or other immediate assistance.
- e) The school superintendent will be notified as soon as possible for any serious incident.
- f) The parent/guardian of the student (if the student is under 18) should be notified.
- g) The principal will make a determination of whether the student should be removed from the school setting pending the completion of the investigation and follow up measures. This decision will be communicated to the parents.
- h) The emergency contact/ family member of the employee may be notified depending on the seriousness of the incident and employee wishes.

- i) The principal will make a determination regarding police involvement. In circumstances where the principal has chosen not to involve the police, the affected employee will be informed of their right to notify the police.
- j) If the worker feels that the situation endangers their health or safety, and indicates a refusal to work due to this concern, the Health and Safety- Refusal to Work Procedure HR-4210 will be followed. The Health and Safety/ WSIB Coordinator must be advised as soon as possible if a work refusal is initiated.

4.5.2 FOLLOW UP ACTIONS

- a) Investigation:

The principal will investigate the circumstances surrounding the incident. Investigation will include the review of:

- i. The details of the incident including interviewing of witnesses, examination of the incident site, medical treatment required, etc.;
- ii. Current work practices employed and student responses to same;
- iii. Previous history and documentation to date;
- iv. Current IEP and Safety plan (if in place for the student).

The principal shall follow appropriate disciplinary procedures that reflect the TLDSB Code of Conduct and the student's Individual Education Plan and Safety Plan.

- b) Documentation

If an employee is injured or ill as a result of the incident the following documentation may be required:

- i. An Employee Workplace Incident/Accident/Injury Reporting Form and/or employee WSIB reporting kit must be used to document the circumstances relating to the injury. TLDSB Administrative Procedure: HR-4208 Incident/Accident/Injury Reporting and Investigation Procedure outlines the requirements for notification and investigation of the incident;
- ii. A Physical Intervention Form must be completed if physical intervention by the employee was required;

- iii. A Violent Incident Form must be completed if the police have been contacted.

c) Additional Support

The principal may arrange other support for the student(s) and/or the staff as determined in consultation with TLDSB staff (Superintendent, District Principal of Special Education, Senior Manager of Human Resources, Manager of Mental Health and Student Well-Being, Behaviour Consultant, Area Special Education Consultant, and Student Services Attendance Counsellor). This support may be required to meet:

- i. physical needs (medical assessment or treatment, recuperation);
- ii. mental health needs (counselling, Employee Assistance Plan);
- iii. risk management needs (assistive devices, additional support staff, and training).

d) Prevention of Recurrence:

Based on the findings of the above investigation, the principal will recommend appropriate actions to prevent a recurrence.

Short term and long term responses may include:

- i. Review of the IEP and/or Safety Plan for the student, with revisions as needed;
- ii. Environmental modifications;
- iii. Changes in work procedures for staff;
- iv. Additional staff training;
- v. Personal protective equipment for staff;
- vi. Appropriate consequences for the student based on the Code of Conduct;
- vii. Review of student timetable and placement;
- viii. Reconvene an IPRC (where applicable) to review the appropriateness of the placement including alternate placement;
- ix. Police intervention or CAS intervention;
- x. Other appropriate intervention(s) (e.g. VTRA, Restorative Practices or Collaborative and Proactive Solutions process).

e) Student Re-entry Plan:

The re-entry of a student after an incident must be well planned in order to avoid further difficulties.

The principal will make the determination of the appropriateness and timing of the student's return to school. In cases of any injury or safety concern, a student may need to be removed from the school setting until the necessary actions have been taken to address the safety concerns and prevent further incidents.

Written communication should be sent to the parent once the status of the student has been determined in the immediate action phase (4.5.1).

This notification would generally consist of one or more of the following:

- i. Notice of concern about student behavior;
- ii. Short term removal from the school setting pending modifications to the work environment or procedures for the student;
- iii. Suspension letter;
- iv. Suspension pending expulsion letter.

The following steps must be taken prior to the return of the student:

- i. Schedule a case conference with parent/guardian, appropriate school, board and/or community personnel;
- ii. Review the effectiveness of the Safety Plan and modify where necessary.

4.5.3 MONITORING

The monitoring of incidents of staff injury and concerns about violence due to student behaviour is necessary to minimize further occurrences, and to develop plans where needed for training and other preventative measures.

The following steps will be taken to monitor the occurrence or recurrence of staff injury due to student behaviour:

- a) As per TLDSB Procedure HR-4208 Incident /Accident/Injury Reporting and Investigation Procedure, the Employee Workplace Incident/Accident/Illness Reporting Forms will be forwarded to the Human Resources Department;

- b) Information about incidents which are deemed to be the result of violent student behaviour are forwarded to the Superintendent of Special Education and Safe and Accepting Schools;
- c) Data from reports associated with student violence toward staff will be analyzed to look for trends, and for the purpose of making recommendations for responses to incidents to reduce the level of violent behaviour incidents towards staff. This information will be additionally reported to the Senior Manager of Human Resources;
- d) The Superintendent of Special Education and Safe and Accepting Schools, and the Human Resources Administrator will present to Director's Council regular reports identifying violent behaviour and injury trends with recommendations to reduce the level of violent behaviour;
- e) The Superintendent of Special Education and Safe and Accepting Schools will send a copy of the quarterly reports to the presidents of all locals.

5.0 APPENDICES

- 5.1 Checklist: In the Event of any Student Violence Towards Staff
- 5.2 Use of Physical Intervention Reporting Form
- 5.3 Violent Incident Reporting Form

IN THE EVENT OF ANY STUDENT VIOLENCE TOWARDS STAFF

IMMEDIATE RESPONSE		Principal	Employee
<input type="checkbox"/>	Immediate report of violence to principal.		√
<input type="checkbox"/>	Preliminary investigation to assess seriousness and what immediate action is needed	√	
<input type="checkbox"/>	Security of situation stabilized <ul style="list-style-type: none"> ○ Ensure all persons involved are safely and securely situated ○ Determine the need for emergency first aid, emotional or other assistance 	√	
<input type="checkbox"/>	Emergency contacts made if situation is urgent. <ul style="list-style-type: none"> ○ Parent/Guardian of under 18 aged students ○ Employee's emergency contact if employee requests ○ Police if need is determined by principal ○ Superintendent <i>(If critical injury has occurred, see PolicyHR-4208)</i>	√	
FOLLOW-UP ACTIONS			
<input type="checkbox"/>	Removal from school decision <ul style="list-style-type: none"> ○ Determination made if temporary removal from the school setting is necessary pending completion of investigation and follow-up Decision communicated to parent 	√	
<input type="checkbox"/>	Investigation of incident <ul style="list-style-type: none"> ○ Witness interviews, examination of incident site, medical treatment details ○ Review of current work practices and student responses to those ○ Current IEP and Safety Plan if applicable 	√	
<input type="checkbox"/>	Additional temporary support decision <ul style="list-style-type: none"> ○ Physical needs (medical, recuperation, limited work assignment) ○ Emotional needs (counselling) ○ Risk management needs (protective equipment, additional staff, training) 	√	
<input type="checkbox"/>	Disciplinary response <ul style="list-style-type: none"> ○ Legislation considerations ○ TLDSB Code of Conduct considerations 	√	
<input type="checkbox"/>	Documentation <ul style="list-style-type: none"> ○ Employee incident/accident/injury report - HR-4208 ○ Physical Intervention report ○ Protocol for Refusal to Work in situations where situation endangers their health or safety Health and Safety/WSIB Coordinator notified 	√	√
<input type="checkbox"/>	Prevention of recurrence planning (short and long term) <ul style="list-style-type: none"> ○ Creation or revision of Safety Plan. Communication to all involved ○ Determination of staff training or protective equipment needs ○ Review of IPRC placement where applicable, ○ Planning with community partners 	√	
<input type="checkbox"/>	Student re-entry plan <ul style="list-style-type: none"> ○ Determination of timing of return to school ○ Plan for minimizing recurrence 	√	

USE OF PHYSICAL INTERVENTION REPORT

STUDENT INFORMATION			
Name:			
Gender: Male <input type="checkbox"/>	Female <input type="checkbox"/>	Age:	Grade/Program:
School:		Exceptionality:	
DESCRIPTION OF INCIDENT			
Date:	Physical Barrier <input type="checkbox"/>	Is student currently on medication(s)? YES <input type="checkbox"/> NO <input type="checkbox"/>	
Time:	Physical Escort <input type="checkbox"/>	Type?	
Specific Location:	Physical Restraint <input type="checkbox"/>	Time of last dosage:	
Staff Directly Involved (Include job title and time arrived on the scene)			
Staff Witnesses (Include job title and time arrived on the scene)			
Observers (Students, Parents, Staff)			
Pertinent Circumstances Precipitating Physical Intervention			
Reason Situation Was Judged Unsafe and Physical Intervention Required			
Description of Physical Intervention			Length of Physical Intervention
Were there any Injuries/Damage <u>prior</u> to Physical Intervention? YES <input type="checkbox"/> NO <input type="checkbox"/>		Were there any Injuries/Damage <u>Directly Related</u> to Physical Intervention? YES <input type="checkbox"/> NO <input type="checkbox"/>	
<i>Describe:</i>		<i>Describe:</i>	
Notifications Made : (Include date, time and person)			

Completed by: _____

Date/Time: _____

Fax to the Behaviour Consultant: _____

Date: _____

VIOLENT INCIDENT REPORTING FORM

Name of Student:

A. Description of Violent Incident

B. Police Contact						
Date of contact			Date of police investigation at school			Name of investigating officer(s):
Day	Mo	Yr	Day	Mo	Yr	
C. School/Board Response						
1. <input type="checkbox"/> Suspension 2. <input type="checkbox"/> Expulsion 3. <input type="checkbox"/> Other						
Date of inclusion in OSR			Principal's/Designate's Signature			
Day	Mo	Yr				