

# **PROTOCOL TO ACCOMPANY SAFE SCHOOLS POLICIES IN THE CITY OF OTTAWA**

**Developed by:  
The Regional Safe Schools Committee of Ottawa**

*Revised August 2016*

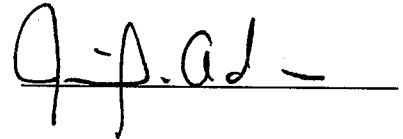
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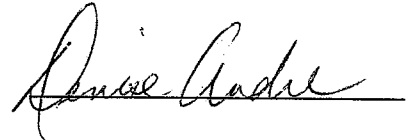
## 1. ***Signatories to the Protocol***

This Protocol for Police Involvement in the Schools of the city of Ottawa has been revised and adopted by the following partners:

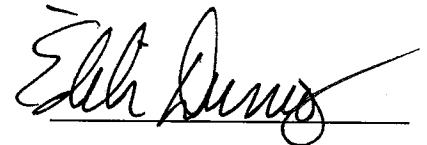
Jennifer Adams,  
Director of Education/Secretary of the Board  
Ottawa-Carleton District School Board



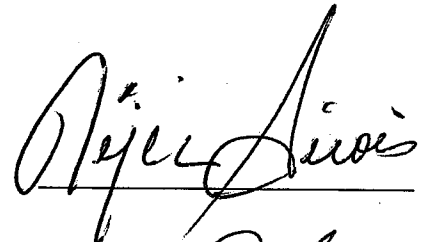
Denise Andre, Director of Education  
Ottawa Catholic School Board



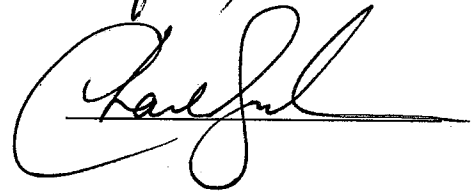
Directeur de l'éducation  
Conseil des écoles publiques de l'Est de l'Ontario



Rejean Sirois, Directeur de l'éducation  
Conseil des écoles catholiques  
du Centre-Est



Charles Bordeleau, Chief  
Ottawa Police Service



**Revised August, 2016**

To facilitate effective communication among the organizations, which are signatories to this protocol (listed at the beginning of this document), each organization will designate one or more staff members as contact persons. Such designations should be reviewed and communicated annually to the other signatories. The persons will be contacted in matters related to this protocol, which may include media-related issues.

# Protocol for Police Involvement in the Schools of Ottawa

## 2. *Guiding Principles*

Consistent with past practices, the Protocol for Police Involvement in the Schools of Ottawa is designed to support and enhance the efforts of schools, their communities, and the Ottawa Police Service in providing safe places in which to learn and work. It does so by consistently supporting boards' safe schools policies and local codes of conduct, which promote respect and civility in the school environment. The Protocol recognizes that all members of the school community enjoy equal rights in accordance with the Ontario Human Rights Code, while acknowledging the need to provide a balance between rights and responsibilities.

## 3. *Introduction*

In keeping with the policy direction of the Ministry of Education and the Ministry of Community Safety and Correctional Services (MCSCS) the *Protocol to Accompany Safe Schools Policies in the City of Ottawa* (the Protocol) is intended to provide school administrators, teachers, and police officers with a procedure for police involvement in the schools which is consistent in all school boards in the City of Ottawa. This protocol will apply equally to school board properties or when students are involved in or attending school/board-sponsored activities. It will assist in providing greater safety and protection of students, teachers, principals, staff, and volunteers in the school. It will also facilitate appropriate sharing and disclosure of information.

It is the practice of the school boards in the City of Ottawa to cooperate with the Ottawa Police Service in maintaining safe and orderly environments in the schools and facilities of the boards and at all board-sponsored activities. In addition to responding to and investigating school-related incidents, police are essential partners in the prevention of crime and violence in the school environment. Police officers, school administrators and school personnel agree to work in a supportive, cooperative and equal partnership aimed at creating school environments that promote respect, responsibility, and civility. Our partnership will be maintained in a highly professional manner and will be an exemplary model of collaboration and cooperation. Furthermore, our goal is to encourage and foster constructive, ongoing, adaptive, and responsive partnerships between police and the school communities. Our coordinated approach is intended to be multifaceted, in an effort to best serve the well-being needs of our students, families and communities.

The School Resource Officer (SRO) program has proven the value of this cooperation and has provided a mutually supportive framework. Nothing in this protocol will be interpreted or applied so as to contravene obligations and procedures required by provincial and federal legislation (e.g., *Ontario Human Rights Code*,

*Criminal Code, Youth Criminal Justice Act, Education Act, Safe Schools Act, Ontario Municipal Freedom of Information and Protection of Privacy Act, Child and Family Services Act, Occupational Health and Safety Act, Police Services Act, Ontario Human Rights Code, and Fire Protection and Prevention Act).*

It is important to remember that this protocol will be used regardless of whether the complaint or investigation was initiated by the police, principal or designate, central staff of the board, a victim, or a victim's parent or guardian.

If, for any reason, a principal or vice-principal is not present at the time an incident is being investigated, the teacher in charge of the supervision of the activity will act as the designate on behalf of the school.

#### **4. Role and Mandate of Police Service**

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

The legislated duties of police officers, outlined fully in section 42 of the *Police Services Act*, include the preservation of peace, preventing crimes and other offences as well as encouraging and assisting other persons in their prevention, assisting victims of crime, apprehending criminals and other offenders, laying charges, and participating in prosecutions.

The members of the Ottawa Police Service will fulfill their duties in a variety of ways including conducting investigations, promoting a reduction of crime committed both against and by young people, diverting young people away from crime and antisocial behaviour, and working in partnership with government and community-based organizations to support positive youth development.

In addition to the duties outlined above, police will also be involved in doing the following:

- ☐ engaging and working proactively in partnership with school officials to ensure the effectiveness of this protocol;
- ☐ enforcing the *Youth Criminal Justice Act*, the *Criminal Code*, and other federal, provincial, and municipal legislation and related regulations;
- ☐ assisting in the development of young people's understanding of good citizenship; and
- ☐ providing information on community safety issues.

#### **5. Role and Mandate of School Boards**

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

The principal will continue to have a role consistent with his or her statutory responsibility for the health and welfare of students and to maintain discipline in the school.

The school boards have a responsibility, along with community partners, to develop, implement and maintain measures to provide and ensure the safest possible learning/work environments for students, staff and others lawfully on school property. Schools and school boards are encouraged to provide opportunities to access training and resources to support the implementation of this Protocol to all staff including those that are part-time or itinerant.

Specific roles and responsibilities include:

- ☐ complying with the requirements related to the duties of principals and teachers under the *Education Act* and regulations;
- ☐ complying with the requirements legislated under the *Child and Family Services Act* (e.g., “duty to report”);
- ☐ administering school-related disciplinary action (e.g., suspensions and expulsions);
- ☐ developing a code of conduct, as required under the *Safe Schools Act, 2000*;
- ☐ developing policies/procedures that support a safe learning and working environment;
- ☐ ensuring that resources (e.g., drug awareness, conflict resolution) are accessible to assist school staff in promoting crime prevention;
- ☐ developing policies on how to respond to crises, including a media plan;
- ☐ developing specialized programs and services within available resources to respond to the needs of students;
- ☐ ensuring that prevention and intervention strategies are available;
- ☐ providing staff with opportunities for acquiring the skills necessary to promote safe school environments;
- ☐ developing an effective consultation mechanism for soliciting input from staff, students, parents, school councils and police in the development of local protocols; and
- ☐ developing and maintaining community partnerships, (e.g., health, social services, child welfare).

## **6. Role of the Principal or Designate**

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

- ☐ acts in *loco parentis* to the students of the school, consistent with board policy and procedure, and legislative requirements;

- ❑ implements safe schools and violence prevention policies and procedures;
  - ❑ communicates awareness of policies and procedures to staff, students, parents and school communities;
  - ❑ clearly explains the school/ board's code of conduct to staff, students and their families, including—the potential reach of school discipline with respect to behaviours taking place outside of school that have a *negative impact on school climate*\*;
  - ❑ conducts 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; and
  - ❑ provides staff with opportunities to acquire the skills necessary to promote safe, equitable, and inclusive school environments.
- (asterisk \* indicates a term defined in this document)

## 7. ***Definitions / Explanation of Terms***

It is recognized that the principal and other school personnel are not expected to be legal experts and therefore should not be required to apply strict legal interpretations.

When a principal believes that an incident or infraction has occurred requiring police involvement, the principal must take the required action. However, the following definitions are provided to serve as a guideline to assist principals and their designates in assessing incidents and carrying out obligations pursuant to the *Education Act* and other relevant legislation. It should be noted that board policies and procedures may expand or extend this definition.

For the purpose of this document, the following terms will be defined as follows:

**abduction:** As per the *Criminal Code of Canada*, the definition of abduction is as follows:

- a) Everyone who, being the parent, guardian or person having the lawful care or charge of a person under the age of fourteen years, takes, entices away, conceals, detains, receives or harbours that person, in contravention of the custody provisions of a custody order in relation to that person made by a court anywhere in Canada, with intent to deprive a parent or guardian, or any other person who has the lawful care or charge of that person. Further to that:
- b) Everyone who, being the parent, guardian or person having the lawful care or charge of a person under the age of fourteen years, takes, entices away, conceals, detains, receives or harbours that person, whether or not there is a custody order in relation to that person made by a court anywhere in Canada, with intent to deprive a parent or guardian, or any other person who has the lawful care or charge of that person.

**assault:** A person commits an “assault” when:

- a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
- b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
- c) while openly wearing or carrying a weapon or imitation thereof, he accosts or impedes another person or begs.

**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.

**criminal harassment:** Criminal harassment occurs when:

- a) a person repeatedly follows an individual from place to place or repeatedly communicates, directly or indirectly, by any means (including electronic means), with an individual, or watches the home or place of work of an individual, or engages in threatening conduct directed at a person or a member of that person’s family; and
- b) 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. (See Appendix A for Bomb Threat Procedures)

**explosive substance:** Includes:

- a) anything intended to be used to make an explosive substance;
- b) anything, or any part thereof, used or intended to be used, or adapted to cause, or to aid in causing an explosion in or with an explosive substance; and
- c) an incendiary grenade, fire bomb, Molotov cocktail or other similar incendiary substance or device and a delaying mechanism or other object or material intended for use in connection with such a substance or device.

**expulsion:** The removal of a student from his or her school or from all schools of the board. Students expelled only from their school are assigned to another school of the board. Students expelled from all schools of the



board must be offered a program for expelled students. Activities for which expulsion must be considered are found in section 310(1) of the *Education Act*. An example is using a weapon to cause or to threaten bodily harm.

**extortion:** The use of threats, intimidation, or violence towards a person to obtain something of value from that person or someone else, or to cause that person or someone else to do something against their will.

**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. Extra-judicial measures hold a youth accountable for his or her actions and provide sanctions outside of judicial proceedings. Some examples of sanctions include substance abuse counselling, volunteer work, repair of or compensation for damaged or stolen property, and a letter of apology.

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

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

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

**mischief:** Everyone commits “mischief” who wilfully:

- a) destroys or damages property;
- b) renders property dangerous, useless, inoperative or ineffective; or
- c) obstructs, interrupts or interferes with the lawful use, enjoyment or operation of property.

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

Mitigating factors:

- a) For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the *Act*, the following mitigating factors shall be taken into account:
  - i. The pupil does not have the ability to control his or her behaviour.
  - ii. The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
  - iii. The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Other factors:

- b) For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the *Act*, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:
  - i. the pupil's history;
  - ii. whether a progressive discipline approach has been used with the pupil;
  - iii. 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;
  - iv. how the suspension or expulsion would affect the pupil's ongoing education;
  - v. the age of the pupil;
  - vi. In the case of a pupil for whom an individual education plan has been developed:
  - vii. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan;
  - viii. whether appropriate individualized accommodation has been provided; and
  - ix. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

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

**non-consensual sharing of intimate images:** Knowingly publishing, distributing, transmitting, selling, making available, or advertising an intimate image of another person while knowing that the person depicted in the image did not give their consent, or being reckless as to whether the person gave

their consent. The term “intimate image” refers to a visual recording such as a photograph, film, or video recording of a person in which the person is nude or engaged in explicit sexual activity and which was created in circumstances that gave rise to a reasonable expectation of privacy.

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

**police involvement:** Indicates any type of police involvement including telephone consultations, reports taken over the telephone, attendance at a school to conduct an investigation, lectures or any other way in which police provide guidance or assistance.

**police response:** The attendance of police at a school for the purpose of conducting an investigation or assisting with another request.

**possession:** Having in one’s personal possession or in joint possession with another person, illegal material (i.e. drugs, stolen property, child pornography).

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

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

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

**suspension:** The removal of a student from his or her school and all school-related activities for a minimum of one school day to a maximum of twenty school days. Activities for which suspension must be considered are found in subsection 306(1) of the *Education Act*. An example is possessing alcohol or illegal drugs.

**threats:** Any statement, act, or communication, by any means, including electronic means, of 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. Includes threats made on social networking sites or through instant messaging, text messaging, e-mail and so on (See Appendix C - VTRA Protocol)

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

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

**Note:** Individual Boards may choose to expand, within Policy and Procedure, the definitions above.

## **8. Occurrences Requiring Police Involvement or Response**

The degree of police involvement in dealing with a school-related incident will be determined by the police in consultation with the school or board employee, parent, student or any other individual making the report. The police officer will make his or her decision based upon factors such as, but not limited to the type of incident, its severity, time of occurrence, or whether suspect is known or not.

### **Mandatory Notification of Police**

School principal or designate will ensure police notification for the following types of incidents:

- ☐ possession of a weapon including, but not limited to, firearms
- ☐ use of weapon to cause bodily harm or to threaten serious harm
- ☐ physical assault causing bodily harm requiring medical attention
- ☐ threats\* of serious physical injury, including threats made on social networking sites or through instant messaging, text messaging, e-mail, and so on; (refer to VTRA protocol - Appendix C)
- ☐ sexual assault
- ☐ possession of illegal drugs
- ☐ trafficking in drugs or weapons
- ☐ robbery
- ☐ extortion
- ☐ hate and/or bias-motivated incidents

- ☐ gang-related incidents
- ☐ criminal harassment
- ☐ possession of an explosive substance
- ☐ bomb threat
- ☐ all deaths directly impacting the school community
- ☐ abduction
- ☐ possession of child pornography
- ☐ non-consensual sharing of intimate images

### **Discretionary Notification of Police**

- ☐ threats
- ☐ giving alcohol to a minor
- ☐ being under the influence of alcohol or illegal drugs
- ☐ incidents of vandalism/mischief
- ☐ 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 or designate 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 14 of this document.)

Where children under the age of 12 are involved, principals are expected to apply the rules outlined above for reporting incidents to the police. Children under 12 cannot be charged with an offence under the *Criminal Code*, *Youth Criminal Justice Act*, or the *Provincial Offences Act*, but police may take reports of incidents allegedly committed by students in this age group and may respond in an appropriate manner.

## **9. Information Sharing and Disclosure**

A number of different statutes deal with information sharing and disclosure. These include federal legislation (*Criminal Code*, *Youth Criminal Justice Act*) and provincial legislation (*Municipal Freedom of Information and Protection of Privacy Act*, *Education Act*, *Child and Family Services Act*). In situations where federal and provincial laws are in conflict with each other, the federal law takes precedence. (Refer to section 15 of this document)

### **Child and Family Services Act (CFSA)- Duty to Report**

The *Child and Family Services Act* (CFSA) outlines the requirements for *Duty to Report* a child or youth in need of protection (Section 72, CFSA ). Despite the provisions of any other Act, if a person, including a person who performs

professional or official duties with respect to children, has reasonable grounds to suspect the child or youth under the age of 16 has been emotionally or physically harmed or is at risk of emotional or physical harm, the person must report the suspicion and the information on which it is based to the Children's Aid Society (CAS) directly. Please refer to the Protocol for the Investigation of Child and Youth Maltreatment between The Children's Aid Society and Ottawa Police Service and local School Boards for more details regarding the procedures to follow.

### **Police Access of OSR (Ontario Student Record)**

The police can access a student's Ontario Student Record (OSR) by warrant or Production Order or with the written consent of a *parent*\* or of the student, if the student is 18 years of age or older. In exigent circumstances, the police can access a student's OSR without a warrant, under section 487.11 of the *Criminal Code*.

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

The YCJA sets out the procedural requirements for dealing with students charged with offences.

(Refer to Part 6 (ss. 110 to 129) of the YCJA, "Publication, Records and Information".) <http://laws-lois.justice.gc.ca/eng/acts/y-1.5/FullText.html>

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 of the YCJA 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 a young person 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"; and

- ❑ 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, within the access period, 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 the safety of staff, students or others;
  - ❑ to facilitate rehabilitation of the young person; and
  - ❑ to ensure compliance with an order made by the youth justice court for a young person released from custody to attend school.

Such sharing of information does not require the young person's consent.

## **Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)**

This legislation regulates the collection and disclosure of personal information that is not related to the YCJA.

Privacy legislation in Ontario **does not prevent** the rapid sharing of personal information in certain situations. While it is appropriate to recognize that personal information is protected by Ontario's privacy and access laws, it is also important to realize that these protections are not intended to stand in the way of the disclosure of vital – and in some cases, life-saving – information in emergency or other urgent situations. In emergency and other limited situations, the head of a school board or those acting on his or her behalf, can – and in some cases must – disclose information that would normally be protected by Ontario's access to information and privacy laws. School board employees who are health information custodians (a term defined in the *Personal Health Information Protection Act*), such as psychologists and social workers, also may disclose personal health information in emergency situations that normally would be protected under the PHIPA. <https://www.ipc.on.ca/images/Resources/educate-e.pdf>

For more information about what personal information may – or, in some cases, must – be disclosed to protect the health or safety of individuals or for compassionate reasons, see IPC Fact Sheet Number 7, Disclosure of Information Permitted in Emergency or other Urgent Circumstances and Practice Tool for Exercising Discretion: Emergency Disclosure of Personal Information by Universities, Colleges and other Educational Institutions on the IPC's website, [www.ipc.on.ca](http://www.ipc.on.ca). 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 themselves or others.

## **Police Services Act (PSA)**

This legislation sets out the powers and duties of municipal police services in Ontario.

Pursuant to s41(1.1) of the *Police Services Act* and in accordance with O Reg 265/98 (*Disclosure of Personal Information*), the Chief or his designate, may disclose personal information about an individual to the School Board in the following circumstances:

- 1) the individual has been convicted or found guilty of an offence under the *Criminal Code* or any other federal or provincial Act, the Chief or his designate reasonably believes the individual poses significant risk to other persons or property, and disclosing personal information will reduce this risk;
- 2) the individual has been charged, convicted, or found guilty of an offence under the *Criminal Code* or any other federal or provincial Act. In this circumstance, the Chief or his designate may share with the School Board:
  - i. the individual's name, date of birth, and address;
  - ii. the offences the individual has been charged with or convicted of;
  - iii. the outcome of all significant judicial proceedings in which the individual is the accused;
  - iv. the procedural stage of the criminal justice process of the offence and the physical status of the individual in the process noted in (iii); and
  - v. the date of release or impending release of the individual from custody regarding an offence, including parole or temporary absence.
- 3) the individual is under investigation, charged with, or found guilty of an offence under the *Criminal Code* or any other federal or provincial Act. In this circumstance and as in accordance with s. 5(3) of O.Reg 265/98 under the *Police Services Act*, the procedure for disclosing personal information shall be in accordance with a memorandum of understanding between the Chief and the School Board.

***Information the Chief or his designate shares with the School Board shall be for protecting the public and victims of crime and for enforcing and complying with any federal or provincial Act, regulation or government program. In deciding whether to disclose personal information, the Chief or his designate shall consider the availability of resources and information, what is reasonable in the circumstances of the case, and what is consistent with the law and the public interest.***

## **10. School Procedures for Reporting to Police**

In an emergency requiring police, ambulance or fire services, school staff will immediately call 911. Each board has a crisis response protocol and an emergency number that must be called in the event of such an emergency. Ensure relevant information that police may require to deal with situation is readily available.

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



## **11. Initial Police Contact in Person**

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

### **Arrival of a Police Officer**

- a) When police officer(s) arrive at a school, the officer(s) will contact the principal or designate to explain the purpose of the visit, and will properly identify themselves and plan with the principal how to proceed.
- b) The principal or designate shall, upon request, when a criminal investigation or an investigation leading to a court proceeding or tribunal is being conducted, provide the police officer(s) with the student's full name, date of birth, address and telephone number.

This complies with the *Municipal Freedom of Information and Protection of Privacy Act* which states:

"An institution shall not disclose personal information in its custody except if disclosure is to an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement is likely to result."

- c) Police officers may have access to additional personal information on the student only on the production of the appropriate legal authorizing document such as Production Order, etc.
- d) Police officers will consider alternatives that limit the disruption to the school day.
- e) Obtain information from the principal about the student (e.g., regarding accommodation needs or barriers to communication) before making contact with the student.
- f) Contact, or make arrangements with the principal to contact, parents of students under the age of 18 (See section 12(a) in this document).

### **Police Contact by phone or email**

Schools which are contacted by police seeking confidential information via phone or email should verify by calling the Ottawa Police Service at 613-236-1222 to confirm the identity of the person requesting information.

## **12. School and Police Investigation of Incidents**

Principals have a legislated responsibility under the *Education Act* to conduct investigations related to suspensions and expulsions. These investigations require that principals interview involved students and/or staff.

Police and principals will work together to ensure that the requirements of the *Education Act* are fulfilled and that the integrity of criminal investigations are maintained. For example, under the *Education Act*, a principal may take up to twenty school days to complete an investigation. Should the incident warrant a recommendation of expulsion the investigation may need to be concluded even sooner. Police need to be mindful of this fact and should, where possible, share information with the principal which may be relevant to that decision.

Where a principal or designate is investigating an incident which is, or may be, investigated by police, principals and their designates will first discuss their intention to interview involved students and staff with the police. This will minimize the possibility of jeopardizing a police investigation or subsequent court proceedings.

There are situations, (e.g., sexual assault investigations), where police may ask principals not to interview or re-interview victims, suspects or witnesses. In such situations, principals and police are required to cooperate to find mutually acceptable measures through which a principal may satisfactorily meet the requirements of the *Education Act* without jeopardizing the police investigation.

When police conduct an investigation, they may provide a verbal account of the investigation to the principal in relation to any school safety concerns that exist. Principals may make notes regarding the information and use those notes as part of their investigation.

A principal or designate who interviews students who are part of a criminal investigation may become a witness in court proceedings. Notes taken by the principal or designate during interviews with students may be required for court proceedings.

Principals will inform police of any logistical information about the school (e.g., the hours of the school day, daily class schedule, spaces in use, etc.) which may be relevant to the investigation process. Police will endeavour to work within these logistical considerations in order to minimize disruption to the school. Police 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 unless all other options have been exhausted.

## **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.

## **b) Preliminary Investigation**

A principal or designate is responsible for carrying out a preliminary investigation to establish the nature and extent of an alleged offence on school property or at school-supervised activities. If there are reasonable grounds that an offence which requires police involvement has been committed, the principal or designate will contact Ottawa Police Service as outlined in section 7 of this protocol.

It is understood that all police officers conducting investigations involving schools will comply with the provisions of all relevant legislation including, but not limited to, *the Youth Criminal Justice Act*, *the Criminal Code*, *the Canadian Charter of Rights and Freedoms*, *the Provincial Offences Act*, *The Municipal Freedom of Information and Protection of Privacy Act*, and *Child and Family Services Act*.

In any investigation, officers will follow all relevant Policies and Procedures of the Ottawa Police Service including those dealing with Arrest, Search and Release, Youth Investigations, Child Abuse and Sexual Assault Investigations.

## **c) Search and Seizure**

### **Duties of the Principal:**

The principal or designate will advise the students at the beginning of each school year that desks and lockers are considered board property and that a search of such property by school or board administration is lawful at any time there is reasonable cause to do so. Codes of Behaviour and student handbooks will contain this information.

In carrying out his/her duty to maintain proper order and discipline in the school and provide a safe school environment, the principal or designate, who has reasonable grounds to do so, may conduct a search of board property (e.g., desk,

locker), at any time without prior notice. School principals or designates will not normally search a student's person or personal belongings. The principal or designate may only conduct a search of personal property (e.g., school bag), when he or she believes on reasonable grounds that a serious breach of the *Code of Conduct* which poses a clear threat to safety has occurred and has reasonable grounds to believe that the pupil is in possession of a weapon or hazardous substance. The principal or designate should first ask the pupil to voluntarily display the possession(s) and the principal or designate will contact the police.

**Personal Technology: (Cell phones, tablets, laptops)**

Principals or designates may confiscate personal technology if they have reason to believe that it may contain information that could be harmful or endanger student safety and well-being.

Principals or their designates should not search a student's personal technology device without consent from owner or guardian.

In order to avoid accusations of improper search and/or seizure, it is highly recommended that at least one other adult be present when a locker, desk or other location is opened for search.

**Duties of Police:**

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.
- ☐ The police will also provide the principal or designate with a reasonable opportunity to review the search warrant and, if necessary, obtain legal advice from the school board's lawyers.

School boards will ensure that students and staff are informed of the school's right to search school property.

School staff should refer to their board's policies on search and seizure, where available.

Police will conduct all personal and/or property searches in accordance with the relevant legislation.

Investigating officers will notify the principal or designate of the final disposition of each case involving students, subject to the provisions of the *Youth Criminal Justice Act*.

Information sharing between school officials, police and other designated justice personnel, e.g., provincial director or delegate (probation officer, youth worker) will be conducted in accordance with section 8 of this protocol.

#### **d) Detainment and Arrest**

When making an arrest, police officers shall:

- ☐ identify themselves as a police officer;
- ☐ inform the person that they are under arrest;
- ☐ inform the person of the reason for the arrest;
- ☐ take physical control of the person;
- ☐ inform the person of the Right to Counsel, including the existence and availability of duty counsel and free legal advice (Legal Aid);
- ☐ ensure that the person understands the Right to Counsel;
- ☐ search the person; and
- ☐ place the person in handcuffs using the approved manner.

Notification of parents / guardians after the arrest is the responsibility of the police.

#### **e) Supports for Victims**

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

- ☐ 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 or designate inform the parents of victims who have been harmed as a result of an activity for which suspension or expulsion must be considered unless, in the principal's opinion, doing so would put the victim at risk of harm from the parents (*Education Act*, s. 300.3(1) and O.Reg. 472/07); and
- ☐ the requirement that all board employees who work directly with students are expected to support all students, including those who disclose or report such incidents, by providing them with contact information about professional supports (e.g., public health units, community agencies, Help Phone lines).

### **13. Police Interviews of Students**

Except in exigent circumstances, when the police interview students on school premises, the following procedures will be followed in relation to police interviews of students:

- ☐ 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 or designate must make best efforts to contact parents as soon as possible before the interview, and document such attempts.
- ❑ A parent/legal guardian, third-party adult, or the principal or designate, if no alternative is available, must be present when students under the age of 18 are being interviewed at school. If a principal or designate is acting in Loco -Parentis during an interview, they must be aware of any potential conflict arising from their duty to investigate and their role as an advocate. Also, an appropriate location for conducting the interview must be considered and required steps to ensure that the student's rights are respected during the interview.
- ❑ School personnel 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. 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) 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(s) at risk of being harmed by the parents. If that is the case, the parents must not be contacted (*Education Act*, s. 300.3 (3));
- ❑ Students receiving a suspension (*Education Act*, s. 311); and
- ❑ All other students being interviewed by police during an investigation except:
  - ❑ If the principal is otherwise directed by police because of exigent circumstances or where the police believe the parent may be implicated;
  - ❑ If the student is 18 years of age or older (unless the student consents to or requests such contact or is incapable of providing consent); or
  - ❑ If the student is 16 or 17 years of age and has withdrawn from parental control (unless the student consents to or requests such contact or is incapable of providing consent).

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

When police remove students from school property for further investigation, police shall ensure that the parents/legal guardians of such students are notified in a timely manner.

The onus is on the police to advise the principal if notification of the parents would endanger the student or the investigation. The parents should not be contacted if the police determine that doing so may endanger the safety of the student or another person or the integrity of the investigation.

Except when directed not to by the police, principals shall notify the parents/legal guardians of student removed from school property.

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

In the case of adult students over the age of 18, parents, guardians and other adults will only be involved upon consent of the adult student.

## **b) Preparation for Interviews**

When preparing for interviews of students:

- ☐ Determine whether circumstances allow for the interview to be conducted at the student's home or a location other than the school;
- ☐ If the incident is not related to the school and will have no impact on school safety, police should 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 14 below); 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) Conducting Interviews**

When conducting interviews of students:

- ☐ Police shall employ appropriate techniques when interviewing children and young persons and follow the *Guide to Officers for Section 146 Youth Criminal Justice Act Statements*;
- ☐ Police shall 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;
- ☐ Police will involve the local Children's Aid Society in the interview process when an interview involves a child who may be in need of protection;

- ❑ An adult **must** be present throughout the interview, except when the student can waive and has waived the right to have an adult present. Best efforts **must** be made to have the student's parent(s) or another adult of the student's choice present; and
- ❑ When a parent or other adult selected by the student cannot be present, the principal or designate **must** attend the interview. Should a principal or designate act in loco -parentis during an interview, he or she must be aware of any potential conflict arising from their duty to investigate and their role as an advocate.

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

School Boards of Education and the Ottawa Police Service acknowledge and fully recognize the legal obligations and importance of reporting suspected child abuse and neglect incidents to the CAS. To this end, each signatory board of education has written their organization's policies and procedures that require and legally support this obligation to report.

### **Specialty Investigation**

The interview of a student of any age by the Ottawa Police Service, specifically when the student may be in need of protection, should be done in accordance with the "*Child Abuse Protocol*" between the CAS and the Ottawa Police Service.

Any occurrence listed in section 7 should also include police involvement for a child under 12 years of age. These types of occurrences are of a serious nature and, beyond the involvement of the child's parents and police. The involvement of the CAS may be of assistance and in fact required if the situation involves abuse, neglect or the risk thereof, or serious acts of a child when the child's parents are not accessing appropriate treatment. (Refer to the *Child and Family Services Act* for more legislative details.)

Members of the Ottawa Police Service can also refer to the *Child Abuse Protocol* between the police and the CAS as well as Police Service Policies on Child Abuse and Sexual Assault Investigations.

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

When an investigation involves a student (or students) known to have special education needs, additional considerations must be taken into account by school personnel and police to ensure the student understands the process and questions during an interview and that adults conducting the interviews are aware of the student's needs.



The principal will inform police of additional considerations to be taken into account when an investigation involves a student known to have special needs or who may be identified as having an exceptionality as defined by the Ministry of Education in any of the following categories: Behaviour, Communication, Intellectual, Physical, or Multiple.

The school will communicate to the police that a student is known to have special education needs or communication difficulties.

The school will appropriately accommodate the student, especially when interviewing is necessary. Every attempt should be made to provide specialized supports and/or resources, as needed, for the student during an investigation.

The school 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.

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

## **16. Occurrences Involving Students Under Age 12**

**Please refer to section 7 of this document to determine if an incident should be reported to the police.** Early intervention for children involved in such incidents is essential, and involving police and parents as early as possible may facilitate the provision of appropriate intervention and support.

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

Principals 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, and conduct interviews.

The principal is required to report children suspected to be in need of protection to the local children's aid society, under subsection 72(1) of the *Child and Family Services Act* (e.g., when there is evidence of abuse or neglect, or the risk thereof, or

when the child has committed serious acts and the child's parents are not accessing appropriate treatment).

Accommodations and/or modifications for students with special education needs is required, as outlined in the student's Individual Education Plan (IEP).

## **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 commit to a review of the local protocol every two years, or sooner if required.

The school boards will continue to solicit input from school councils, parents, staff and students in the review process.

This review will be completed by members of the Regional Safe Schools Committee and must include members from the four boards and a member from OPS.

## **19. *School/Police Role in Violence Prevention***

School boards and principals should develop, promote, and maintain strong partnerships with police and seek to benefit from their support in the implementation of the school's violence-prevention policies.

Police may also offer support in a consulting role, to assist school personnel in determining appropriate action when dealing with violent behaviour and to explain the procedures for police investigations.

Where assigned, School Resource Officers (SRO) will work in partnership with students, teachers, school administrators, school board officials, parents, other police officers, and the community to establish and maintain a healthy and safe school community which promotes positive mental health and reducing the stigma associated with mental health issues.

## **20. *Physical Safety Issues***

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

## **21. *Threat and Risk-Assessment Services***

Incidents of violence in schools are often preventable through early intervention in response to threatening behaviour, or non-threatening but worrisome behaviour.

The Police and School Boards' multi-disciplinary response is detailed in the Violence/Threat Risk Assessment (VTRA) Protocol (Appendix C).

## **22. *Emergency Planning and Threats to School Safety***

Every school shall develop an Emergency and Crisis Response Plan, which shall include but is not limited to a *Lockdown\**, Secure school, Shelter in Place and Bomb Threat Procedure as well as procedures following a lockdown or other emergency, in keeping with the school board and ministry policies.

Each school is mandated to conduct a minimum of 2 lockdown drills per year. Principals are to consider conducting 1 lockdown during an unstructured time of the day. Each school is required to have a crash bag (please refer to your own school board for content requirements).

## **23. *Training***

The school board and police services should conduct joint training on the protocol to their staff members on an annual basis. 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.

The Youth Intervention/Diversion Unit is available for consultation and guidance with respect to current issues and trends involving youth, such as gangs and human trafficking. Further, this unit can assist with providing parent information sessions as well as training sessions for colleagues within the school board.

The services of the Youth Intervention/Diversion Unit are not available for routine assessments or for low-risk youth who have the ability to access regular services within the community.

Other services accessible to the school boards include:

- ☐ Drug Squad
- ☐ Emergency Response Unit
- ☐ Victims Assistance Unit
- ☐ General Patrol

# Appendix A: Protocol and Guidelines for Bomb Threat Procedures

## Preamble

In keeping with the school boards' commitment to maintain a safe learning environment for all students, the school boards recognize that it is important to have plans for an effective and consistent response to Bomb Threats (suspicious packages or devices) to ensure the safety of all persons within the school and school community.

## All school board plans must include:

### 1. Roles and Responsibilities

#### a. Principal

- i. The principal or designate will be responsible for developing a school plan that reflects the Protocol and any district policies and procedures for involving Ottawa Police Service, Ottawa Fire Services, and other emergency services in the development of the school plan;
- ii. The principal or designate is also responsible for ensuring that members of the school community (including students, staff, parents / guardians, other stakeholders) are aware of their obligations / responsibilities in carrying out the school plan;
- iii. The principal or designate will be responsible for implementing the school plan when a threat is received. **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. The principal or designate will maintain that authority until police or emergency services decide to take over.** Should emergency personnel take control of the situation, the principal or designate will cooperate fully with the appropriate emergency services; and
- iv. The principal or designate will notify police and other appropriate emergency services if a bomb threat is received, suspicious package or device is found or an explosive incident occurs. In the event of any explosive incident at the school, Fire Services must be notified.

#### b. Police **Police will be informed of all bomb threats**

- i. Police will be responsible for investigating any explosives / bomb threat incidents; and
- ii. Police assume responsibility for investigating the threat and will work closely with the school authorities to determine when they will assume overall command and control of the response to the incident.

#### c. Fire Services (to be informed of the Protocol)

- i. May respond to assist in fire suppression, operations, and rescue operations in the event of an explosives incident; and
- ii. Fire services must report all explosions to the Office of the Fire Marshal and Emergency Management (OFMEM).

## **2. Initial Assessment**

In completing the initial assessment, the principal or designate should be aware of the following:

- ☐ activities taking place in the school at the time of the threat;
- ☐ the level of specificity of the threat i.e. time of incident, location, other descriptive details;
- ☐ any recent negative incidents involving members of the school community; and
- ☐ other recent bomb threats or hoaxes.

The initial assessment is one of the most challenging aspects of a bomb threat incident. The accompanying decisions about whether to authorize a visual scan and / or an evacuation are also challenging. Decisions regarding scans and evacuation are made after a thorough assessment of known information and are continually re-evaluated throughout a bomb threat incident. Police are not responsible for making decisions during the initial assessment (visual scans or evacuations), but may provide input for the principal or designate consideration.

## **3. Response Following Initial / Ongoing Assessment**

The principal or designate should continue to assess the situation as it is ongoing as long as it is deemed safe to do so. Once the initial assessment is complete, the principal or designate must decide in cooperation with police / fire services, the appropriate response to the threat.

This may include:

- ☐ initiating a visual scan to determine if there are any suspicious packages or devices;
- ☐ increased supervision and vigilance;
- ☐ partial or full evacuation of the site;
- ☐ initiating a shelter in place or secure school; and,
- ☐ ensuring school plans are clear and updated to provide direction for any of the above mentioned processes

## **4. Command Post**

Each school plan should designate a primary, secondary, and off-site command post location.

**Information regarding command post locations should not be publicly circulated.\***

## 5. Procedure Following the Location of Suspicious Device / Package

School and district plans and procedures must provide directions to the principal or designate in responding to the discovery of suspicious package or device.

Such procedures should provide the following:

- ☐ isolation / containment of device or package

## 6. Procedures Following an Explosives Incident

Schools and districts should have plans to respond to explosive incidents regardless if they are in connection to a bomb threat.

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 for safety purposes as well as preservation of evidence for future investigations.

## 7. 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 or re-entry.

## 8. Floor / Site Plans

Every school should provide the following:

- ☐ accurate and up to date floor / site plans;
- ☐ floor /site plans available to all emergency service responders upon request;
- ☐ floor / site plans clearly identify all entrances and exits;
- ☐ hard copies and electronic copies of floor and site plans for police use; and
- ☐ a list of other buildings located on property such as; portables, storage sheds, child care and other facility occupants on floor / site plans

**Note:** *all plans should be consistent with required school fire safety plans*

## 9. Keys

The Principal or designate will ensure that facility master keys are current and available for emergency service responders who may be involved in a search or investigation on the premise.

The principal or designate is responsible for ensuring that all staff including occasional and part-time and itinerant teachers have the ability to lock their classroom doors.

## 10. Communication

Schools and districts should develop comprehensive communication plans considering all impacted stakeholders (students, community, care providers) , and media from initial

threat through to post incident. These plans should also include communication with other schools / facilities that may be impacted by the incident.

#### **11. Drills**

Schools and districts are encouraged to develop procedures to support the practice of evacuation and bomb threat drills.

#### **12. Emergency Plan Review**

School and board plans shall be reviewed annually.



# **Appendix B: Protocol and Guidelines for Lockdowns; Secure Schools; Shelter in Place**

Although emergency services will assist with training, feedback and drills, whenever possible, each school is responsible to develop and maintain (with input and support from identified stakeholders) a School Safety Plan in relation to Lockdown, Secure School (Hold and Secure) and Shelter in Place Procedures. A School Safety Plan addresses issues specific to the school as they relate to Lockdown and Secure School Procedures.

## **LOCKDOWN PROCEDURE**

### **Preamble**

In keeping with the school boards' commitment to maintain a safe learning environment for all students the school boards recognize that, in life-threatening situations where there is an active threat, the safety of the persons at the school is best insured by Lockdown Procedures.

In such instances, a member of the School Administrative Team or designate shall suspend the normal daily routine and activate Lockdown Procedures prior to the arrival of the emergency services.

The purpose of Lockdown Procedures is two-fold: first, to prevent persons at the school from being harmed during a life-threatening situation and, second, to clear the way for emergency services to respond to the life-threatening situation.

### **Definitions**

**Lockdown Procedures:** An emergency course of action to secure persons in a school, out of sight, in a safe location in the event of an active threat where serious injury or death is imminent or occurring.

### **Lockdown Procedure**

These procedures are designed to protect and ensure safety for all individuals within the school. It is important to be aware of your surroundings and make decisions to maximize safety for all. When, trying to remain consistent with these procedures we encourage individuals to use available information to make decisions with sound judgment.

1. The principal is responsible for ensuring that members of the school community (including students, staff, parents / guardians, stakeholders) are aware of their obligations / responsibilities in a Lockdown Procedure which shall be detailed in each board's Emergency Procedures. **These procedures are mandated to be practiced a minimum of twice each school year.** Each principal or designate is encouraged to have one lockdown practice during an unstructured time in the day.
2. The principal is responsible for ensuring that all staff including occasional and part-time and itinerant teachers have the ability to lock their classroom doors in the event of lockdown.
3. Lockdown Procedures would be used in the following situations:
  - a. There is an active threat where serious injury or death is imminent or occurring; or
  - b. In any circumstance, where a member of the School Administrative Team (or designate) determines it is appropriate to ensure the safety of a person(s) at the school.
4. Anyone can call 911 to report the active threat where serious injury or death is imminent or occurring. The person calling will describe the situation and follow the direction of the 911 Operator.
5. When a member of the School Administrative Team (or designate) or a staff member determines that a Lockdown Procedure is required, he/she will:
  - a. Call 911, describe the situation and follow the direction of the 911 operator if not already done;
  - b. Initiate the Lockdown Procedures by announcing it over the public address system using the terminology "Lockdown". All persons in the school will move to a safe area out of sight and consider barricading doors if it is safe to do so; cell phones should not be used in a lockdown situation unless it is necessary to communicate regarding the incident.
  - c. Determine if an evacuation (full or partial) is required dependent on the situation and / or procedures established in the School Emergency Procedure.  
**Note:** *the order of steps a), b) and c ) are dependent on the situation.*
  - d. All persons within the school will remain in their safe location until released from that location by an authorized person arriving at the safe location (i.e., a member of the School Administrative Team or designate and/or police). The police in consultation with the Principal or designate will determine who will conduct the room-to-room release, which will be dependent on the situation.

## **Police Service**

Upon arrival, the police will assume command and control of the school (coordinating their response with other responding emergency services) but will liaise and work closely with the School Board representatives and School Administrative Team throughout the situation when appropriate and practical.

## **Sounding of the Fire Alarm**

During Lockdown Procedures, a Fire Alarm may sound for (but not limited to) the following reasons:

- a. A person(s) responsible for the life-threatening situation may sound the Fire Alarm (prior to or during the incident) as a means to have persons in the school evacuate the school or to cause confusion/panic;
- b. The actions of the police may cause the Fire Alarm to sound unintentionally (i.e. due to forced entry); or
- c. There is an actual fire or an explosion at the school.

If the school has activated Lockdown Procedures and the Fire Alarm is sounding:

- a. Disregard the fire alarm if it is safe to do so.
- b. Persons at the school must always be aware of the potential of other emergencies such as a fire during Lockdown Procedures.
- c. Persons at the school must be prepared to react to fire-related emergencies and possibly evacuate an area locked down for their own safety.

# SECURE SCHOOL PROCEDURE

## Preamble

In keeping with the school boards' commitment to maintain a safe learning environment for all students, the school boards recognize that, in certain situations, securing the school rather than implementing Lockdown Procedures best ensures the safety of persons in the school.

In such instances, a member of the School Administrative Team or designate shall suspend the normal daily routine and require all persons to remain in or proceed to designated safe locations within the school until such time as a member of the School Administrative Team or designate determines it is appropriate for the regular routine of the school to resume.

## Definitions

**Secure School Procedure:** A course of action taken by the School Administrative Team or designate to contain the movement of persons within the school by moving them to designated safe areas. The reasons for Secure School Procedures will vary but in all cases the persons are not in immediate danger and can continue their daily routine within the designated safe areas. Exterior doors may be locked depending on the nature of the emergency.

## Secure School Procedures

1. The Principal is responsible for ensuring that members of the school community (including students, staff, parents/guardians, stakeholders) are aware of their obligations/responsibilities in a Secure School Procedure, which would be detailed in a School Safety Plan.

2. A Secure School may be required in (but not limited to) the following situations:

- a. A member of the School Administrative Team or designate receives information of a possible life-threatening situation, which has not been confirmed and requires further investigation;

**Note:** *If the situation changes to an active threat where serious injury or death is imminent or occurring, a member of the School Administrative Team or designate will initiate Lockdown Procedure.*

- b. A bomb threat where the matter is being investigated and an immediate evacuation is not required;
- c. There is an intruder(s) perceived to be a possible threat in or near the school;
- d. There is a situation where emergency services are responding to an incident in close proximity to the school. The situation is not school related or an immediate threat to persons at the school but Secure School Procedures will ensure the safety of the persons in the school while the emergency is being responded to;

- e. There is an emergency at the school where emergency services would be hindered by the movement of persons in the school; or
  - f. Any circumstance where a member of the School Administrative Team determines it is appropriate to ensure the safety of persons in the school.
3. When the School Administrative Team or designate determines that the initiation of Secure School Procedure is appropriate, he/she will:
- a. Contact the appropriate emergency services, if not already responding;
  - b. Initiate Secure School Procedure by announcing it over the public address system using the terminology "Secure School";
  - c. Ensure persons in the school will remain in their designated safe areas;  
**Note:** *the order of steps a), b) and c) are dependent on the situation.*
  - d. Co-ordinate the involvement of emergency services; and
  - e. Once the need for a Secure School is no longer required, announce over the public address system the resumption of the normal school routine.

# SHELTER IN PLACE PROCEDURE

## Preamble

In keeping with the school boards' commitment to maintain a safe learning environment for all students the school boards recognize that, in certain situations, Sheltering in Place rather than implementing Lockdown or Secure School Procedures best ensures the safety of persons in the school.

In such instances, a member of the School Administrative Team or designate shall initiate Shelter in Place until such time as a member of the School Administrative Team determines it is appropriate for the regular routine of the school to resume.

## Definitions

Shelter in Place: A course of action taken by the School Administrative Team or designate to contain the movement of persons within the school by monitoring the exterior doors of the building and not permitting persons to exit the building. The reasons for Shelter in Place will vary but in all cases the persons are not in immediate danger and can continue their daily routine within the confines of the school building.

## Shelter in Place Procedure

1. The Principal or designate is responsible for ensuring that members of the school community (including students, staff, parents / guardians, stakeholders) are aware of their obligations / responsibilities in a Shelter in Place, which would be detailed in a School Safety Plan.
2. A Shelter in Place may be required in (but not limited to) the following situations:
  - a. A member of the School Administrative Team or designate receives information of a possible threatening situation outside of the school, which has not been confirmed and requires further investigation;  
**Note:** *If the situation changes to an active threat where serious injury or death is imminent or occurring, a member of the School Administrative Team or designate will initiate Lockdown Procedures.*
  - b. Extreme weather that threatens safety is imminent or occurring;
  - c. Reports of potentially dangerous wildlife near or on school premises;
  - d. Other environmental situations which warrant keeping persons within the school such as chemical spills, blackouts, explosions, etc.;
  - e. There is a situation where emergency services are responding to an incident in close proximity to the school. The situation is not school related or an immediate threat to persons at the school but Shelter in Place Procedure will ensure the safety of the persons in the school while the emergency is being responded to; or
  - f. Any circumstance where a member of the School Administrative Team determines it is appropriate to ensure the safety of persons in the school.

3. When the School Administrative Team or designate determines that the initiation of Shelter in Place is appropriate, he/she will:
  - a. Contact the appropriate emergency services, if not already responding;
  - b. Initiate Shelter in Place by announcing it over the public address system using the terminology "Shelter in Place";
  - c. Ensure persons in the school will remain in their designated safe areas;  
**Note:** *the order of steps a), b) and c) are dependent on the situation.*
  - d. Co-ordinate the involvement of emergency services; and
  - e. Once the need for a Shelter in Place is no longer required, announce over the public address system to return to normal school routines.

# ***Appendix C: Community-based Violence/ Threat Risk Assessment Protocol***

**A Collaborative Response to Student Threat Making Behaviours**



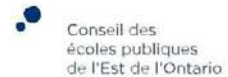


The Children's Aid Society of Ottawa | La Société de l'aide à l'enfance d'Ottawa



# Community-based Violence/ Threat Risk Assessment Protocol

*A Collaborative Response to Student Threat Making Behaviours*



*The protocol reflects the work of J. Kevin Cameron, Director of the Canadian Centre for Threat Assessment and Trauma Response.*

2014

## **Overall Rationale**

The Ottawa school boards, police and community partners are committed to making our schools safe for students and staff. As a result, the Ottawa school boards will respond to all student behaviours that are deemed to pose a potential risk to other students, staff and members of the community. It is hoped that support for early intervention measures by the school boards and community partners will prevent school violence.

The effective implementation of a community violence/threat risk assessment protocol will support collaborative planning to prevent school-based violence. As well, the timely sharing, with relevant partners, of information about students at risk for violence towards self and/or others will ensure that supportive plans are put in place.

The strength of this school board and community partnership lies in the multi-disciplinary composition of the response team. The response team will share and review student information and the details of the event in order to collaborate using a broad range of expertise. This collaborative process will respect the individual's rights to privacy while maintaining safety for all.

## Partners

The school boards, *Ottawa-Carleton District School Board*, *Conseil des écoles publiques de l'Est de l'Ontario*, *Ottawa Catholic School Board*, *Conseil des écoles catholiques du Centre-Est* are the lead partners in the Ottawa Community-based Violence/Threat Risk Assessment Protocol.

Community Partners include:

*Ottawa Police Services*

*Youth Justice Services, Ministry of Children and Youth Services*

*Children's Hospital of Eastern Ontario*

*The Royal*

*Youth Services Bureau*

*Crossroads Children's Centre*

*Children's Aid Society of Ottawa*

*Rideauwood Addiction and Family Services Centre*

*Roberts/Smart Centre*

*Youturn Youth Support Services/services d'appui à la jeunesse*

*Maison Fraternité*

*Centre Psycho-social*

*Centre Jules-Léger*

## Vision

All partners support the protocol and have a shared obligation to actively take steps to prevent school-based violence.

The partners agree to work together for the common goal of threat reduction and school/community safety by pro-actively sharing information, advice, and support that assists in the prevention of a potential traumatic event.

As partners we will work together for the benefit of children, youth, their families and the community by:

- ☐ Building working relationships based on mutual respect and trust;
- ☐ Involving children, youth and their families in planning for services and supports;
- ☐ Recognizing that each child and youth has unique strengths and needs that should be considered when developing a service plan to meet his/her needs;
- ☐ Realizing that working together successfully is a process of learning, listening, and understanding one another; and
- ☐ Being patient and trusting and working together to help children and youth become happy, healthy, active, involved, and caring members of the community.

The goal of the protocol is to remove, or reduce as far as possible, any threats to the safety of students, parents, school staff, other persons, the school or other buildings or property, arising from any actions or physical or verbal behaviour engaged in by students or their peers on school property or elsewhere.

The protocol is designed to ensure communication and information sharing between school and community partners when the violence/threat risk assessment protocol is activated.

The community partners are each governed by unique legislation that sets out their respective legal requirements relating to information sharing. The community partners recognize and are committed to complying with all applicable laws and regulations in considering and carrying out any information sharing.

As part of the protocol, school board, police, and community partners will commit to ongoing participation, staff development and program review.

# Key Approaches to Violence Threat/Risk Assessment

## 1. Investigative Mind-Set

Threat assessment involves a multi-disciplinary approach, which requires:

- ☐ Thoughtful probing;
- ☐ Seeking out of relevant information from all sources;
- ☐ Connecting and analyzing the information to ensure a comprehensive assessment; and
- ☐ Attention to key points about baseline behaviour and reasons for increases in behaviour.

## 2. Building Capacity

Training with the Canadian Centre for Threat Assessment and Trauma Response Level 1 in threat assessment will be provided to as many school personnel and community members as possible, so that ALL worrisome, violent and/or threat making behaviours receive a response. Moreover, all school personnel will be made aware of the components of the community protocol, so that it may be activated if needed in medium or high level threat situations.

## 3. Program Review

The Community-based Violence/Threat Risk Assessment Protocol will be reviewed bi-annually by the school boards, police and community partners.

## 4. Criminal Investigation and Education Act Investigation

In many cases, a criminal investigation and/or *Education Act* investigation will result from the actions of a student(s) that brings about a violence/threat risk assessment. While these are parallel processes and independent of each other, school boards, police and community partners will ensure an open line of communication during the criminal investigation and/or *Education Act* investigation process whenever possible and allowable.

The open line of communication will ensure that any resulting criminal investigation is not jeopardized by the actions of the school board(s) or community partners. Through experience, training and debriefing (violence/threat risk assessments), the school boards, community partners and police will effectively conduct violence/threat risk assessments respecting established agency mandates, roles and processes.

## 5. Information Sharing

The general intent of access to information and protection of privacy legislation is to limit the sharing of personal information without the consent of the person. Wherever possible and reasonable, informed consent should be obtained.

## Activation of the School and Community Violence/Threat Risk Assessment Teams (VTRA)

When a student engages in behaviours or threatens to engage in behaviours that may result in serious injury to a person(s), a VTRA will be initiated. The lead partner will be the school board. To ensure the timely activation of the VTRA, lead contact(s) will be identified by each of the school boards, police and community partner(s) and will be called as needed.

### Immediate Risk Situations

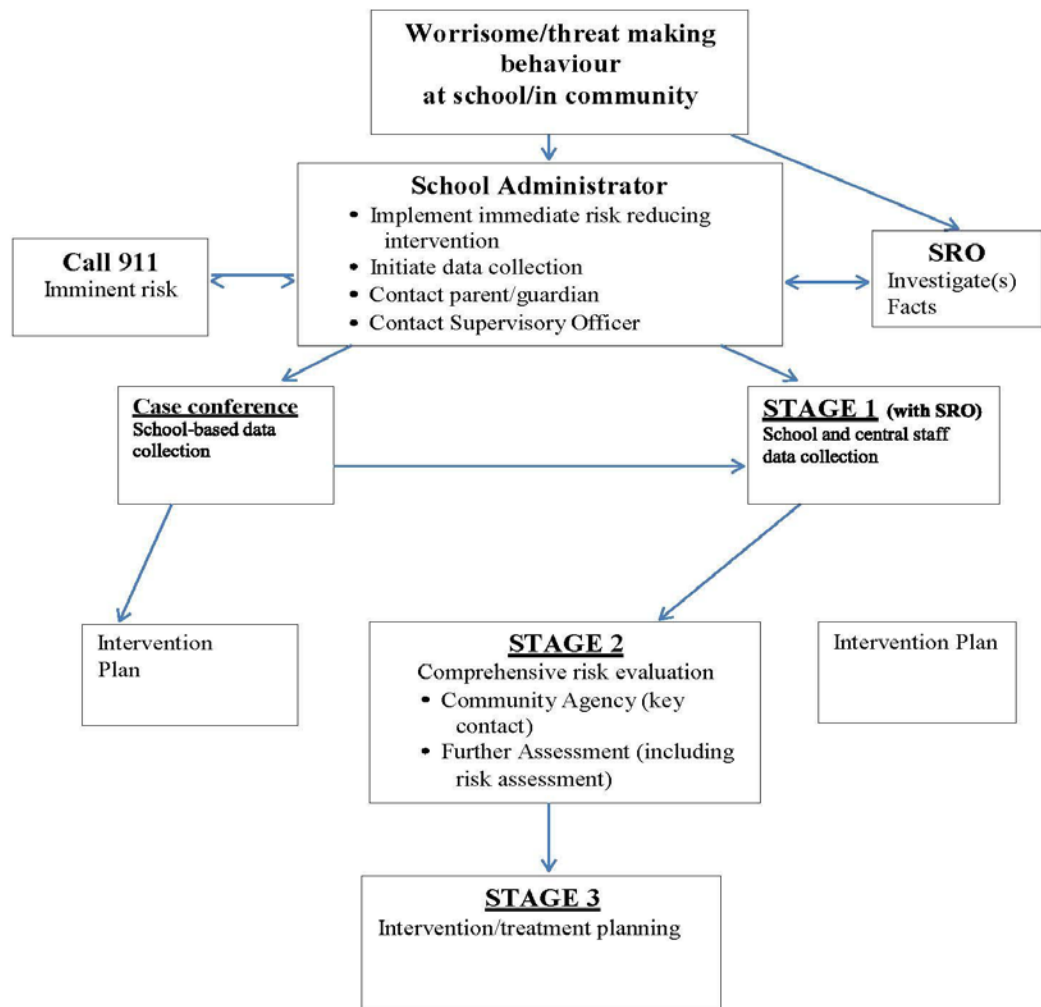
These situations require an immediate police response (life threatening emergency or crime in progress). The school lockdown plan is activated and 911 is called. The immediate response is to ensure safety for all (staff, students, parents, visitors).

### Proceeding with the VTRA

1. As a result, and in response to, all other worrisome/threat making behaviours (see Appendix A), the school administrator will implement immediate risk reducing strategies. The school administrator will initiate data collection and contact the parent(s)/guardian(s). (See Appendix B, Step 2)
2. If the initial data collection concludes that the behaviours are worrisome but not high risk, the next steps include continuing with data collection and holding a multi-disciplinary case conference as soon as possible.
3. Should the behaviours appear more high risk, a police incident report should be initiated, as outlined in the *Protocols to Accompany Safe Schools Policies in the City of Ottawa*. The school administrator should proceed to a Stage 1 VTRA with school and central staff and invite the SRO/designate. This needs to be held as soon as possible, within 24 to 48 hours.
4. If the VTRA concludes that further assessment is indicated, the community partner(s) may be contacted. Additionally, further assessment including a Stage 2 (Risk Assessment) may be requested.

**Note:** *Regardless of whether a 911 call is made due to imminent high risk, or a case conference or VTRA is completed, an intervention/treatment plan is always required.*

## VTRA Protocol



## Anonymous Threats: Assessment and Intervention

Anonymous threats are typically threats to commit a violent act against an individual(s), specific group, or site (i.e. the school). They may be found written on a wall, spray painted on the walls of schools, posted on the Internet, left in a conspicuous place (teacher's desk), etc. Generally, the anonymity of the threat denotes a lack of commitment. However, the following steps should be followed:

1. Assess the anonymous threat:
  - Analyse the language: amount of detail (where, when, target(s))
  - Method of delivery (who found/received the threat, where was it received, who knows about it)
  - Determine if the threat is clear, direct, plausible.
2. Attempt to identify the threat maker:
  - Handwriting analysis
  - Word usage (grammar, spelling, expressions that may identify the author)
  - Some students will incorporate their own name on an anonymous 'hit list'
  - Some students who report having received a threat are either the author of the threat or know who the author is
3. Avoid over-reaction.

## Non-school Hour Threats

If information is received by a VTRA member regarding a clear, direct and plausible threat outside of school hours, police will be called and appropriate steps will be taken to ensure safety. The school administrator will be contacted by police, as soon as practical and the VTRA protocol activated if the situation is deemed to pose an ongoing risk within the school climate.

## Responding to Threat Making Behaviours

### **STUDENTS WITH SPECIAL NEEDS**

In accordance with the Education Act, a Principal must consider mitigating factors when considering whether to hold a student responsible for a violation of the board *Code of Conduct*. These include whether the student has the ability to control his or her behaviour and whether the student has the ability to see the foreseeable consequences of his or her behaviour.



The VTRA protocol will not be activated when students with special needs engage in threat making or aggressive behaviours that are typical of their “baseline”. For instance, some students who have been diagnosed on the Autism Spectrum or Fetal Alcohol Spectrum or with behavioural exceptionalities may have histories of verbal threatening as part of their baseline behaviour. This would not result in a VTRA. If the student with special needs goes beyond their typical baseline behaviour, the VTRA process should be initiated.

### **STUDENTS IN SECTION 23 PROGRAMS**

Section 23, day treatment programs are often located within community schools. In situations, where a student in day treatment engages in threat making or aggressive behaviour that is beyond their “baseline”, and poses a plausible, significant risk to the host community school, the Principal of the Section 23 program (McHugh or Le Transit), with the treatment partner, will determine whether or not the VTRA process should be initiated. If necessary, the process will be initiated by the school board where the specific program is housed. For programs housed within agencies, the school board that has administrative responsibility and the partner agency would carry out the VTRA.

### **THREAT ASSESSMENT AND SUSPENSION**

A poorly timed out-of-school suspension may increase risk of violence, as it may be viewed by the student as the ‘last straw’. Although the suspension does not cause the violence, it may create a context for a high risk student to take the step from planning to action. Therefore, unless the threat-maker already poses an imminent or obvious safety concern (i.e. currently brandishing a weapon), it is recommended that the VTRA team be activated, where possible, before suspension is imposed. The principal may determine that, for reasons of safety, the student should work at home, with parental consent for 24-48 hours, pending the outcome of the VTRA, or consider an alternate process (e.g., exclusion).

### **INVOLVING PARENTS/GUARDIANS IN THE VTRA PROCESS**

**Parent/guardian permission is not required for a VTRA to occur.**

#### **Parent/guardian of the threat-maker:**

Parents/guardians must be notified at the earliest opportunity. In accordance with the Education Act, administrators shall inform a student’s parent/legal guardian of an activity for which suspension or expulsion must be considered unless, in the opinion of the administrator, doing so would put the student at risk of harm from the parents. Notification of the parent should occur after sufficient data has been collected that determines that a threat or violent act has occurred.

Parents/guardians are also important to the VTRA process providing important information about the threat maker’s behavior, increases in baseline behavior, mental health, and other contextual information that may increase or decrease level of risk.

Notification of parent/guardian and further involvement in the VTRA process is meant to be a collaborative process between home and school in order to fully assess the student and to develop a risk reduction plan.

#### Parent/guardian of the target:

In accordance with the *Education Act*, parents/guardians of the target of the threat must be notified at the earliest opportunity, when the threat has been investigated and sufficient data collected. If the threat is clear, direct and plausible, student safety must be addressed immediately. Parents/guardians of a targeted child may be worried, fearful or angry.

Notification should be done with skill, caring and planning. This includes offering available emotional supports for the child and family.

In some cases, the target of the threat has also been engaged in high-risk behaviors, including threat making. In those situations, the target of the threat may also be considered for a VTRA.

#### **EXPECTATION OF RESPONSIBLE REPORTING**

According to section 300.2(1) the *Education Act*, Section 300(2), an employee of a board who becomes aware that a student may have engaged in an activity for which suspension or expulsion shall be considered shall report to the principal of the school about the matter. All staff members working directly with students must respond to incidents that will have a negative impact on school climate.

Students need to be taught and reminded that informing an adult about worrisome or threat making behavior is a social responsibility for the safety and well-being of all. It is not “snitching” or “ratting”. It is important to remind students that such reporting will not result in disciplinary action, unless it is made maliciously and without reasonable grounds.

### **Violence Threat/Risk Assessment Intervention and Management**

Regardless of whether a 911 call is made, a case conference is held or a VTRA is completed, an intervention/management and re-entry plan is required.

#### **GUIDELINES FOR RE-ENTRY TO SCHOOL**

When the data suggest that a student poses a threat to others and further comprehensive assessment is needed, the student may be suspended from school. The school administrator, with the VTRA team, guides the process from initial assessment, to planning for further assessment to decrease risk, to planning for the re-entry into school. The team determines what assessment will be recommended, who will complete the assessment(s), who contacts the family and also plans the case conference to discuss a re-entry plan including intervention and safety planning.

#### **SUPPORT SERVICES**

Members of the VTRA team need to have authority within their organizations to make decisions with regard to supportive services. For example, it may be necessary to conduct a psychological risk or a psychiatric assessment, to refer to a community agency for treatment, or to increase supervision or make accommodations in a school setting. It is

important that intervention and supports offered to the student and family are culturally appropriate and accessible within the community.

### **SUPPORTING TARGETED STUDENTS OR STAFF**

The VTRA team must consider the impact of the threat making behaviour on targeted students or staff. The clinician (social worker or psychologist) on the VTRA team should be responsible for assessing the impact and recommending supports and services, as needed. If the threat is directed to a group, class or entire school, the VTRA team should discuss how best to provide support depending on the circumstances.

## **Role of Community Partners**

The goal of threat/risk reduction and school/community safety is shared by all partners. The VTRA protocol is designed to facilitate communication and information sharing, when allowable.

The VTRA will be activated in situations which involve:

- serious violence or violence with the intent to harm or kill others or self;
- verbal/written threats to kill others or self (clear, direct, plausible);
- possession of weapons (including all replicas);
- bomb threats (including making and/or detonating explosive devices);
- fire setting;
- sexual intimidation or assault; and
- gang related intimidation and violence.

Depending on the information received in the initial investigation, community partner(s) may be contacted for consultation and/or information through the identified VTRA designate of the community partner.

The partner will determine if and what information is to be shared, based on the legislation that sets out their respective legal requirements relating to information sharing. Depending on the level of concern the partner may have relevant information to be shared, information that is not relevant, or no information.

Additionally, even if the partner does not have relevant information, their area of expertise may mean that they can provide helpful guidance and assistance in order to assist with mitigating the threat.

## Information Sharing

The general intent of access to information and protection of privacy legislation is to limit the sharing of personal information without the consent of the person. Wherever possible and reasonable, informed consent should be obtained. The individual should know to what he/she is consenting, and understand the consequences of the intended disclosure. The individual should be made aware that he/she may withdraw consent at any time by giving written or verbal notice.

The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the *Personal Health Information Protection Act* (PHIPA) provide exceptions for the release of information where there are compelling circumstances affecting risks to health and safety. (Part II,32(h), MFIPPA). PHIPA notes that "a health information custodian may disclose personal health information about an individual if the custodian believes on reasonable grounds that the disclosure is necessary for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons." (2004, c. 3, Sched. A, s. 40(1) PHIPA).

The Children's Aid Society will endeavour to obtain consent to release information from all of their clients involved in a school or community immediate threat assessment. Disclosure of information without consent to a peace officer may be considered if there are reasonable grounds to believe that failure to disclose the information relevant to the threat is likely to cause the person or another person physical harm or emotional harm, and the need to disclose is urgent." (CFSA s. 72 (1)).

Subsection 125(6) of the *Youth Criminal Justice Act* (YCJA) enables information in a *Youth Criminal Justice Act* record to be shared, within the access period, with any professional or other person engaged in the supervision or care of a young person - including the representative of any school board, or school or any other educational or training institution only in limited circumstances. Information may be shared to ensure the safety of staff, child/youth or others, to facilitate rehabilitation/reintegration of the young person, or to ensure compliance with a youth justice court order or any order of the provincial director respecting reintegration leave. Such sharing of information does not require the young person's consent.

The recipient of youth justice information is responsible for ensuring compliance with legislated restrictions on its use and disposal under the YCJA s.125 (7). This provision requires that the information must be kept separate from any other record of the young person, that no other person must have access to the information except as authorized under the YCJA or for the purposes of ss.125 (6), and that it must be destroyed when it is no longer needed for the purpose for which it was disclosed.

Section 32.0.5(3) of the *Occupational Health and Safety Act* (OHSA) states, "an employer's duty to provide information to a worker under clause 25(2)(a) and a supervisor's duty to advise a worker under clause 27(2)(a) include the duty to provide information, including personal information, related to risk of workplace violence from a person with a history of violent behaviour if, (a) the worker can be expected to encounter that person in the course

of his or her work; and (b) the risk of workplace violence is likely to expose the worker to physical injury."

<b>Green Light</b>	<b>Yellow Light</b>	<b>Red Light</b>
Generally speaking, pursuant to freedom of information and privacy acts, relevant personal information MAY be shared under one or more of the following circumstances:	In any of the following circumstances obtain more information and/or get advice from a supervisor, or the board lawyer,	Information may NEVER be shared under any of the following circumstances
- With written consent,	- When consent is not provided or is refused but where there may be a health or safety issue for any individual or group(s),	- When there is a legislative requirement barring disclosure,
- To avert or minimize imminent danger to the health and safety of any person, (see key points regarding informed sharing),	- To report criminal activity to the police,	- When no consent is given and there is no need to know or overriding health/safety concerns, or
- To report a child who may need protection under the Child and Family Services Act,	- To share YCJA records, under section 125(6) of the YCJA within the allowable access period,	- When consent is given but there is no need to know or overriding health/safety concerns.
- By order of the Court,		
- To ensure the safety of students and/or staff under section 125(6) YCJA within the allowable access period,	- When a professional code of ethics may limit disclosure.	
- To cooperate with a police and/or child protection investigation in accordance with all policies, procedures and protocols in place at the community partner agency.		

## **Communication:**

### **a. Parent/Staff/Student**

Communication with parents, staff, and students concerning the protocol will be developed by the school-based administration in collaboration with the Supervisory Officer who will consult with the school board designate for VTRA.

### **b. Intra-agency**

Internal school board and community partner communication regarding the protocol will be the responsibility of the school board/community partner designate.

### **c. Media**

In the event that a media release is required, school board or community partners involved will consult and advise each other where appropriate.

### **d. Documentation**

Each partner will be responsible for documenting, storing, retaining and destroying information as required by his/her agency.

## **Appendices**

Appendix A: Responding to Student Threat Making Behaviour; School Board Protocol; A Staff Guide

Appendix B: Violence/Threat Risk Assessment Report Form

Appendix C: Definitions

## ***Appendix A: Responding to Student Threat Making Behaviour; School Board Protocol, A Staff guide***

### **Decide on a Course of Action**

With the input of all VTRA members, decide on a course of action. If there is a low to medium level of concern, the student may likely be managed at school with appropriate (increased) supervision and school-based/district supports.

<b>Worrisome Behaviours</b>	<b>High Risk Behaviours</b>	<b>Imminent Risk  Requiring Immediate Police Response (life threatening emergency or crime in progress) Call 911</b>
<p>Include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Drawing violent pictures</li> <li>• Writing violent stories/journals</li> <li>• Making or writing vague threatening statements</li> <li>• Unusual interest in fire</li> <li>• Significant increase in anti-social behaviour</li> </ul>	<p>Include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Possession of weapon/replica</li> <li>• Possession of a bomb threat plan</li> <li>• Making or writing a threat to kill or cause serious bodily harm</li> <li>• Internet or website threats to kill or cause serious bodily harm to self/others</li> <li>• Fire setting</li> <li>• Threatening violence</li> </ul>	<p>Include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Weapon in possession that poses serious threat to others</li> <li>• Imminent plan for violence</li> <li>• Homicidal/suicidal behaviour that threatens safety</li> <li>• Fire Setting (danger to life)</li> </ul>

*In accordance with section 300.2(1) of the Education Act an employee of a board who becomes aware that a pupil of a school of the board may have engaged in an activity for which suspension or expulsion shall be considered shall, as soon as reasonably possible, report to the school principal about the matter. All staff members working directly with students must respond to incidents that will have a negative impact on school climate.*

## **Appendix B: Violence/Threat Risk Assessment Guidelines; Data Collection and Immediate Risk Reducing Interventions**

(adapted from the Canadian Centre for Threat Assessment and Trauma Response)

*Note: A Violence/Threat Risk Assessment may be as a result of an alleged criminal offence by a student(s). If there is an alleged criminal offence, the police must be consulted or involved after the school board staff has determined there is some information about a criminal offence to ensure a coordinated effort and that any criminal investigation is not jeopardized. Police and school board will be conducting a parallel investigation: criminal investigation and an Education Act investigation. Any threat or risk assessment must be conducted with this in mind.*

Student: \_\_\_\_\_ School: \_\_\_\_\_

DOB: \_\_\_\_\_ Student Number: \_\_\_\_\_ Grade: \_\_\_\_\_ Age: \_\_\_\_\_

Parents Name: \_\_\_\_\_ Date of Incident: \_\_\_\_\_

**Step 1: Make sure all staff and students are safe. In imminent risk situations requiring an immediate police response (life threatening emergency or a crime in progress) CALL 911. At the earliest opportunity and when safe to do so, the school administration will contact the school board designate who will then activate the VTRA. For other situations, follow police-school protocol with regards to police response.**

**Step 2: Initiate the Data Collection, including all witnesses and participants directly and immediately involved.**

The following warning signs are offered to guide the threat assessment process. The purpose of this process is to determine whether a student poses a risk/threat to the safety of others. Does the student appear to have the resources, intent, and motivation to carry out the threat? Is there evidence of attack-related behaviours that suggest movement from thought to violent action? Document and discuss all warning signs that apply.

**Immediate Data** may be obtained from multiple sources:

- Reporter(s) or Informant(s)
- Target(s)
- Witnesses
- Teachers and other school staff (secretaries, teacher assistants, bus drivers, etc.)
- Friends, classmates, acquaintances
- Parents/caregivers (call both parents)
- Current and *previous* school records
- Police record check
- Student(s), locker, desk, backpack, recent text books/assignment binders, cars, etc.
- Parents/caregivers of the student(s), bedroom, etc.
- Activities: such as internet histories, diaries, notebooks, etc.



**Other Agencies:** Agency partners may be involved in the VTRA process as consultants to the school/police team. They may be sources of initial data relevant to the case at hand e.g., past or current involvement by other agencies. Once they are informed of the initial school/police data they may release necessary information or physically join the team.

**Notify the student's parent(s) or guardian(s).**

- **Parents/guardians have been notified of the situation and this assessment.**
- **Parents/guardians have NOT been notified because:** \_\_\_\_\_

### Series I Questions (The Incident)

1. Where did the incident happen and when?
2. How did it come to the interviewee's attention?
3. What was the specific language of the threat, detail of the weapon brandished, or gesture made?
4. Was there stated:
  - Justification for the threat?
  - Means to carry out the threat?
  - Consequences weighed out (I don't care if I live or die!)?
  - Conditions that could lower the level of risk (unless you take that Facebook post down I will stick my knife in your throat!)
5. Who was present and under what circumstance did the incident occur?
6. What was the motivation or perceived cause of the incident?
7. What was the response of the target (if present) at the time of the incident? ***Did he/she add to or detract from the Justification Process?***
8. What was the response of others who were present at the time of the incident? ***Did they add to or detract from the Justification Process?***

### NOTES:

## **Series II Questions (The Incident) (Attack-related Behaviours)**

1. Has the student (subject) sought out information consistent with his/her threat making or threat-related behaviour?
2. Have there been any communications suggesting ideas or intentions to attack a target currently or in the past?
3. Has the student (subject) attempted to gain access to weapons or does he/she have access to weapons he/she has threatened to use?
4. Has the student developed a plan and how general or specific is it (time, date, identified target selection, site selection, journal or justifications, maps and floor plans)?
5. Has the student (subject) been engaging in suspicious behaviour such as appearing to show an inordinate interest in alarm systems, video surveillance in schools or elsewhere, schedules, locations of police or security patrol?
6. Has the student engaged in rehearsal behaviours, including packing or brandishing fake but realistic looking weapons, air rifles, pistols, or engaged in fire setting (e.g., lighting fire to cardboard tubes cut and taped to look like a pipe bomb, etc.)?
7. Is there any evidence of attack related behaviours in his/her locker, (backpack, car, truck, etc.) at school or bedroom, (shed, garage, etc.) at home?
8. Have others been forewarned of a pending attack or told not to come to school because "something big is going to happen"?

## **NOTES:**

### **Series III Questions (The Threat Maker/Subject)**

1. Does the threat maker (subject) have a history of violence or threats of violence?
2. If yes, what is the frequency, intensity and recency (FIR) of the violence?
3. What has been his/her past human target selection?
4. Does he/she have a history of depression or suicidal thinking/behaviour?
5. Is there evidence of fluidity?
6. Does the threat maker (subject) use drugs or alcohol? (what are they using, level of use, any previous violence while using?)

### **NOTES:**

#### **Series IV Questions (The Target)**

*\* Remember that in some cases the target is higher risk for violence than the threat maker with the most common case being where the threat maker is the victim of bullying and the target is the bully.*

1. Does the target have a history of violence or threats of violence?
2. If yes, what is the frequency, intensity and recency of the violence?
3. What has been his/her past human target selection?
4. What has been his/her past site selection? Is there evidence the target has instigated the current situation?

#### **NOTES:**

### **Series V Questions (Peer Dynamics)**

1. Are others involved in the incident who may intentionally or unintentionally be contributing to the justification process?
2. Who is in the threat maker(s), subject(s), peer structure and where does the threat maker (subject) fit (e.g., leader, co-leader, and follower)?
3. Is there a difference between the threat maker's individual baseline and his/her peer group baseline behaviour?
4. Who is in the target(s) peer structure and where does the target fit (e.g. leader, co- leader, follower)?
5. Is there a peer who could assist with the plan or obtain the weapons necessary for an attack?

### **NOTES:**

### **Series VI Questions (Empty Vessel)**

1. Does the student have inordinate knowledge or interest in violent events, themes, or incidents, including prior school-based attacks?
2. How has the student responded to prior violent incidents (local, national, etc.)?
3. What type of violent games, movies, books, music, internet searches does the student fill him/herself with?
4. Is there evidence that what he/she is filling him/herself with is influencing his/her behaviour? (Imitators vs. Innovators)?
5. What related themes are present in his/her writings, drawings, etc.?
6. Is there evidence of fluidity and/or religiosity?

### **NOTES:**

### **Series VII Contextual Factors (Triggers)**

1. Has the threat maker experienced a recent loss, such as a death of a family member or friend; a recent break-up; rejection by a peer or peer group; been cut from a sports team; received a rejection notice from a college, university, military etc.?
2. Have his/her parents just divorced or separated?
3. Is the student a victim of child abuse and has the abuse been dormant but resurfaced at this time?
4. Has the student been initiated into a gang? Is it voluntary or forced recruitment?
5. Has the student recently had an argument or 'fight' with a parent/caregiver or someone close to him/her?
6. Has the student recently been charged with an offence or suspended or expelled from school?

### **NOTES:**



## **Series VIII (Family Dynamics)**

1. How many homes does the student (subject) reside in (shared custody, goes back and forth from parent to grandparent's home)?
2. Is the student (subject) connected to a healthy/mature adult in the home?
3. Who lives in the family home (full-time and part-time)? Has anyone entered or left the home who may be influencing level of risk?
4. Who seems to be in charge of the family and how often are they around?
5. Has the student engaged in violence or threats of violence towards his/her siblings or parent(s), caregiver(s)? If so, what form of violence and to whom including Frequency, Intensity, Recency (FIR)?
6. What is the historical baseline at home? What is the current baseline at home? Is there evidence of evolution at home?
7. Are parent(s) or caregiver(s) concerned for their own safety or the safety of their children or others?
8. Does the student's level or risk (at home, school or the community) cycle according to who is in the home (e.g., the student is low risk for violence when his/her father is home but high risk during the times his/her father travels away from home for work)?
9. Does the student have a history of trauma? (e.g. car accidents, falls, exposed to violence, abuse, etc.).
10. Has the student been diagnosed with a DSM V diagnosis?
11. Is there a history of mental health disorders in the family?
12. Is there a history of drug or alcohol abuse in the family?

## **NOTES:**

## Review Findings with the VTRA

Convene the VTRA to discuss all relevant information regarding the student. As a team, ask the question: “*To what extent does the student pose a threat to school/student safety?*” Does he/she pose a threat to him/herself or someone outside the school (e.g., family)?

### Low Level of Concern

Risk to the target(s), students, staff and school safety is minimal.

- Threat is vague and indirect
- Information contained within the threat is inconsistent, implausible or lacks detail; threat lacks realism
- Available information suggests that the person is unlikely to carry out the threat or become violent
- Typical baseline behaviour

### Medium Level of Concern

The threat could be carried out, although it does not appear realistic. Violent action is possible.

- Threat is more plausible and concrete than low level threat. Wording in the threat and information gathered suggests that some thought has been given to how the threat will be carried out (e.g., possible place and time)
- No clear indication that the student of concern has taken preparatory steps (e.g., weapon seeking), although there may be an ambiguous or inconclusive references pointing to that possibility. There may be a specific statement seeking to convey that the threat is not empty: “I’m serious!”
- Moderate or lingering concerns about the student’s potential to act violently
- Increase in baseline behaviour

### High Level of Concern

The threat or situation of concern appears to pose an imminent and serious danger to the safety of others.

- Threat is specific and *plausible*. There is an identified target. Student has the *capacity* to act on the threat
- Information suggests concrete steps have been taken toward acting on threat. For example, information indicates, for example, that the student has acquired or practiced with a weapon or has had a victim under surveillance.
- Information suggests strong concern about the student’s potential to act violently
- Significant increase in baseline behaviour

## **Decide on a Course of Action**

With the input of all V T R A members, decide on a course of action. If there is a low to medium level of concern, the student may likely be managed at school with appropriate (increased) supervision and school-based/district supports.

### **Low to Medium Level of Concern**

- Implement the Intervention Plan (*Most students can be managed at school or board program alternatives with supportive intervention*).

### **Medium to High Level of Concern**

- The VTRA determines whether further assessment is needed
- Principal notifies the board designate

## Develop a Re-integration (Intervention) Plan

The following Intervention Plan could be used to address concerns identified during a Threat/Risk Assessment

Re-integration (Intervention Plan) <i>(attach additional pages as needed)</i>
<input type="checkbox"/> Disciplinary action taken:
<input type="checkbox"/> Intended victim warned and/or parents or guardians notified.
<input type="checkbox"/> Suicide assessment initiated on:  By:
<input type="checkbox"/> Contract not to harm self or others created (please attach).
<input type="checkbox"/> Alert staff and teachers on a need-to-know basis.
<input type="checkbox"/> Daily or <input type="checkbox"/> Weekly check-in with (title/name):
<input type="checkbox"/> Travel card to hold accountable for whereabouts and on-time arrival to destinations.
<input type="checkbox"/> Backpack, coat, and other belongings check-in and check-out by:
<input type="checkbox"/> Late arrival and/or early dismissal.
<input type="checkbox"/> Modify daily schedule by:
<input type="checkbox"/> Behaviour Plan/Safety Plan
<input type="checkbox"/> Intervention by support staff (e.g., Psychologist, Social Worker, Guidance).

☐ Identify precipitating/aggravating circumstances, and intervene to alleviate tension.  
Describe:

☐ Drug and/or alcohol intervention with:

☐ If a student with special needs, review IEP goals, strategies and options.

☐ Obtain consent/permission to share information with community partners such as counsellors and therapists (see Release/Exchange of Information Form).

Other Action:

**PARENT/GUARDIAN (attach additional pages as needed)**

☐ Parent(s) will provide the following supervision and/or intervention

Parent(s) will:

## ***Appendix C: Definitions***

### **Imminent Risk/Immediate Response**

Refers to life threatening situations or crime in progress. Staff will call 911 and follow internal board procedures for such circumstances. The school may choose to activate the school board/police/community VTRA.

### **High Risk Behaviours (See Appendix A)**

Is defined as behaviours that express intent to do harm or act out violently against someone or something. High risk behaviours include but are not limited to: interest in violent content, unusual interest in fire/fire setting, escalation of physical aggression, significant change in anti-social behaviour, unusual interest in and/or possession of weapon/replica of a weapon, bomb threat, internet threat to kill and/or injury to self and/or others. The In-School team should be activated and, after consultation with the school staff and school board designate, the school board/police/community VTRA.

### **In-School Team**

Is a team of school based professionals (e.g. principals, vice principals, etc.) trained to assess a threat to student safety by a student or group of students. Professional support staff may be consulted and will participate in the school-based violence/threat risk assessment process.

### **School Board/Police/Community Threat Assessment Team (VTRA)**

Is comprised of school board representatives, police and community partners as needed. When an in-school team has assessed that a student(s) poses a threat to student/staff safety, the principal calls the school superintendent who contacts the board designate to request that the School Board/Community Threat Assessment Team be activated.

### **Risk Assessment**

Is a process of determining if a student of concern, regardless of whether a threat was made, may, through his or her violent behaviour pose a risk to a known or unknown person(s), including him or herself.

### **Threat**

Is defined as any expression of intent to do harm or act out violently against someone or something. Threats may be spoken, written, drawn, posted on the

internet (MSN, Facebook) or made by gesture only. Threats may be direct, indirect, conditional or veiled.

### **Threat Assessment**

Is a process of determining if a threat maker (someone who utters, writes, emails etc. a threat to kill a target or targets) actually poses a danger to the target he/she has threatened.

### **Threat Making Behaviours**

Are defined as any action that an individual who, in any manner, knowingly utters, conveys, or causes any person to receive a threat.

### **Worrisome Behaviour**

Is defined as those behaviours that cause concern and may indicate that a student is moving toward a greater risk of violent behaviour. The majority of behaviours from Kindergarten to Grade 12 fall into this category. Worrisome behaviours include but are not limited to: drawing pictures that contain violence, stories/journal writings that contain violence, making vague/generalized statements about violence towards others that do not constitute a threat. Worrisome behaviours may be an early warning sign of the development of more serious high risk behaviours. All worrisome behaviours should be addressed. These situations may involve activation of the VTRA and consultation with school board designate.

### **Fluidity**

Is the cognitive and affective interaction between the suicidal and homicidal domains. High risk individual who at times struggle with fluidity vacillate between a desire to kill themselves and at other times a desire to kill others. In some cases the fluid individual swings back and forth between the domains for long periods of time so that engaging in an act that will accomplish both homicide and suicide is the outcome. School shootings, workplace shootings and family based murder-suicide are classic examples of realized fluidity.

### **Empty Vessels**

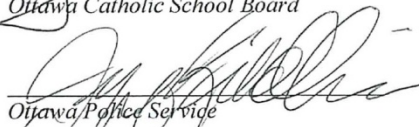
Are individuals who are not connected to healthy and mature adult supports. In VTRA cases, if the individual in question is viewed as a possible empty vessel, the next question by the team becomes: with what are they filling themselves? In other words what is drawing their attention that could be influencing their current behaviour and level of risk? This includes negative peer groups, internet activity, violent video games, music, drugs and alcohol, etc.



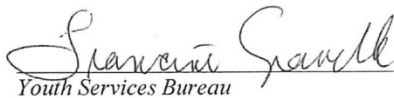
## Community Threat Assessment Protocol Signing Partners

  
Ottawa-Carleton District School Board

  
Ottawa Catholic School Board

  
Ottawa Police Service

  
Children's Hospital of Eastern Ontario

  
Youth Services Bureau

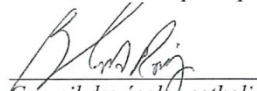
  
Children's Aid Society of Ottawa

  
Centre Roberts/Smart Centre

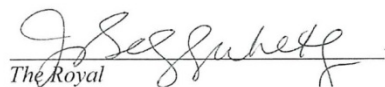
Centre Psycho-social

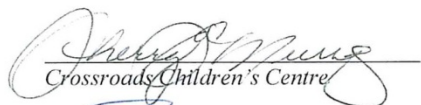
  
Youturn Youth Support Services/services d'appui à la jeunesse

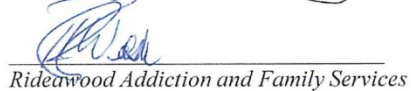
  
Conseil des écoles publiques de l'Est de l'Ontario

  
Conseil des écoles catholiques du Centre-Est

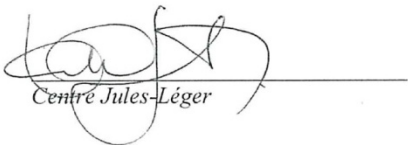
  
Youth Justice Services, Ministry of Children  
and Youth Services

  
The Royal

  
Crossroads Children's Centre

  
Rideauwood Addiction and Family Services

  
Maison Fraternité

  
Centre Jules-Léger

## Appendix D: Guide to Officers for Section 146 Youth Criminal Justice Act Statements

### Guide to Officers for Section 146 Youth Criminal Justice Act Statements

The Ontario Court of Appeal has emphasized the importance of recording any statement of an accused person on video. This is even more important when contemplating charges against or taking the statement of a young person where the informational components of Section 146 must be explained to the young person **in language appropriate to the particular young person's age and understanding**. The best way to demonstrate that you have tailored your explanation to the age and understanding of the particular young person is by way of video.

- It is imperative that the young person clearly understands everything that is being said and explained to him/her.
  - It is insufficient to simply read the form to the young person and ask if he/she understands.
  - An individualized, objective approach that takes into account the level of sophistication and other personal characteristics relevant to the young person's understanding is required when conducting the interview.
  - Prior to asking any of the questions set out in the statement form, you are required to acquire some insight into the level of understanding of the young person you are interviewing in order to determine the appropriate language to use in explaining their rights. It would be of evidentiary value to record this initial interaction with the youth while gauging their level of understanding.
  - This requirement involves learning something about the young person's level of education, language and vocabulary skills, ability to comprehend, and emotional state.
- This requirement can only be achieved by engaging the young person in conversation. Consideration should be given to the following non-exhaustive list of questions:
    - > How old are you?
    - > What grade are you in?
    - > What school do you attend?
    - > Do you have a learning disability?
    - > Are you in a special education class?
    - > Have you been arrested before?
    - > Have you given a statement to a police officer before?
  - Once you have acquired the necessary insight into the young person's level of understanding, you will be in a position to tailor your explanation of the Section 146 requirements to the capabilities of the particular young person you are interviewing.
  - While you are not required to have the young person "explain back" their rights, in some instances, this may well demonstrate that your explanations were both appropriate and sufficient.
  - A simple and appropriate way to determine whether the young person understands is to ask, "What does this mean to you in your own words?"

**Statement of a Young Person***Youth Criminal Justice Act, Section 146***1. Statement Recording Method**☐ Audiotape (No. \_\_\_\_\_) ☐ Written ☐ DVD (No. \_\_\_\_\_) ☐ Videotape (No. \_\_\_\_\_)

Police Service: \_\_\_\_\_ Police Case ID: \_\_\_\_\_

\_\_\_\_\_ Occurrence No.: \_\_\_\_\_

Date: \_\_\_\_\_ Location: \_\_\_\_\_ Start Time: \_\_\_\_\_ Time Completed: \_\_\_\_\_

Interviewing Officer(s): \_\_\_\_\_

Name of Young Person: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

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

Name: ☐ Parent(s) ☐ Adult Relative ☐ Other Adult

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

You are charged with:

You may be charged with:

**2. Do you understand the charge(s)?**

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

If at any time you do not understand anything, tell me and I will explain it to you. Do you understand?

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

**3a. THIS SECTION APPLIES ONLY TO YOUTHS WHO ARE 14 YEARS OF AGE OR OLDER AT THE TIME OF THE ALLEGED OFFENCE AND THE OFFENCE IS 1ST OR 2ND DEGREE MURDER, ATTEMPT MURDER, MANSLAUGHTER, OR AGGRAVATED SEXUAL ASSAULT.**

As you are 14 years old, or older, and you are charged with \_\_\_\_\_, if you are found guilty, the Crown will ask the court to give you an adult sentence. The most severe adult sentence is life in prison. It is up to the court to decide whether you will be sentenced as a young person or an adult.

Not Applicable ☐ \_\_\_\_\_ (officer's initials)Warning Read: ☐ 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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of Young Person: \_\_\_\_\_ Time Completed: \_\_\_\_\_

Witnesses:

(1) \_\_\_\_\_

Signature

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

Signature