

Hamilton Police/School Board Protocol 2011



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*denotes a definition found in Appendix A

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<p>This document has been prepared by the Hamilton Police Service and local School Boards as a resource only. It is not a legal reference. Agencies should seek independent legal and/or other appropriate advice prior to reliance upon the content and/or implementation of any program, policy or procedure. Any reference made to, or derived from a specific act, statutory provision or the common-law, is subject to change, in whole or in part, without notice and is accurate only to the signing date of this protocol. The Hamilton Police Service and local School Boards assumes no responsibility for the use of the text, nor for the conduct of individuals or agencies acting on the content.</p>

* Each lockdown procedure included in this document reflects the local school board procedures.

1. SIGNATORIES TO THE PROTOCOL

The Hamilton-Wentworth District School Board, the Hamilton-Wentworth Catholic District School Board, Le Conseil scolaire de district du Centre-Sud-Ouest, Le Conseil scolaire de district catholique Centre-Sud (the local School Boards), the Hamilton Police Service and the Hamilton Police Service Board support the principle that all students and staff deserve a safe learning and working environment.

This document represents a clarification of our respective roles and responsibilities and defines the need for maintaining open lines of communication. It is intended as a tool for the implementation of certain existing legal responsibilities but is not intended to supplement those responsibilities.

We, the undersigned, support the principles and procedures set out in this Protocol.

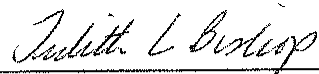
Signed at the City of Hamilton.


Chair – Nancy DiGregorio
Hamilton Police Services Board


June 27, 2011
Date


Chief of Police – Glenn De Caire
Hamilton Police Service

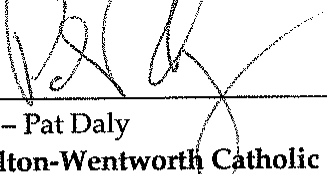
July 4, 2011
Date


Chair – Judith Bishop
The Hamilton-Wentworth District School Board


June 22, 2011
Date


Director of Education – John Malloy
The Hamilton-Wentworth District School Board

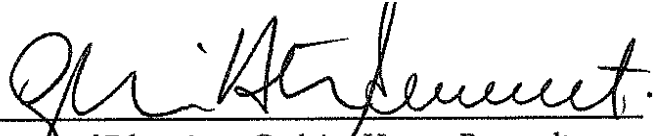
June 22, 2011
Date


Chair – Pat Daly
Hamilton-Wentworth Catholic District School Board

June 28, 2011
Date


Director of Education – Patricia Amos
Hamilton-Wentworth Catholic District School Board

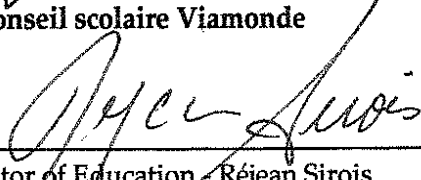
June 28, 2011
Date



Director of Education-- Gyslaine Hunter-Perreault
Le Conseil scolaire Viamonde

July 5th / 2011

Date



Director of Education Réjean Siros
Le Conseil scolaire de district catholique Centre-Sud

29/06/2011

Date

2. STATEMENT OF PRINCIPLES

It is the collaborative commitment of the Hamilton Police Service, and the local School Boards to engage in procedures that support and ensure a safe learning and working environment in all schools in the greater Hamilton community. To achieve this safe environment, the following guiding principles have been developed:

- the need to ensure that schools are safe, inclusive and equitable places for learning and teaching;
- the need to foster and support learning environments that ensure the ongoing development of positive behavior, including respect, responsibility and civility;
- the need to have a clear understanding of Police and school responsibilities;
- the need to engage Police Officers with students in schools and the broader community, where positive relationships can be fostered;
- the need to respect the fundamental rights of all students and staff pertaining to disability, race, creed, ethnic origin, and other prohibited grounds of discrimination under the Ontario Human Rights Code;
- the need to understand and support the roles and responsibilities of the School and Police partners; and
- the need to adhere to the procedures and decision-making authority process.

Providing the best possible education for students in a safe school community is a shared responsibility which requires the commitment to collaboration, cooperation and effective communication.

3. a) INTRODUCTION

It is the policy direction of the Ministry of Education and the Ministry of Community Safety and Correctional Services that School Boards and Police Service establish and follow a protocol for the investigation of school-related occurrences.

The Hamilton Police Service and local School Boards believe that students, staff and members of the school community have the right to learn and work in a safe and caring learning environment. The School Boards, the Police, and the school community participate in a number of cooperative programs to establish and maintain this positive, safe learning environment. A safe, inclusive, and equitable school environment fosters and supports learning and the ongoing development of respect, responsibility, civility, and other positive behaviours and characteristics.

b) PURPOSE

The purpose of the Protocol is to:

- ensure a consistent approach in the local protocol developed by the School Boards and Police Service;
- promote dialogue and the establishment of effective relationships between schools and Police based on cooperation and shared understandings;
- address unique factors and/or considerations that may affect our individual jurisdiction and negotiate service-delivery arrangements accordingly;
- promote the safety and protection of students, teachers, staff, volunteers and others in schools;
- encourage ongoing, adaptive and responsive partnerships between the Police and the school communities;
- facilitate appropriate sharing and disclosure of information in accordance with privacy laws including FIPPA and MFIPPA;
- promote joint consultation and partnerships between School Boards and the Police Service toward maintaining safe and caring school environments;
- ensure that the obligations and requirements of both education and Police Service are met;
- ensure a consistent and equitable approach in the way Police and the Schools Boards respond to school-related occurrences;
- clarify our respective roles and responsibilities and define the need for maintaining open lines of communication.

As well, the Hamilton Police Service and local School Boards meet regularly through the Police/School Boards Liaison Committee. The purpose of the liaison committee is to:

- ensure good communication among the representatives regarding both preventive and corrective programs and services for youth in the community;
- coordinate programs for use in schools with students, staff and parents/guardians*;
- consider and/or address issues and problems that arise;
- review and develop programs and services that focus on youth; and
- monitor the operation of this Protocol.

The Liaison Committee may invite additional representatives, from time to time, to act as resources to the Committee.

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

In accordance with the declaration of principles contained in the *Police Services Act (PSA)*, Police Service is provided to ensure the safety and security of all persons and property in Ontario. The Act stresses the importance of safeguarding the fundamental rights guaranteed by the *Canadian Charter of Rights and Freedoms* and the *Human Rights Code*. In delivering these services, Police must cooperate with the communities they serve, and be sensitive to the pluralistic, multi-racial and multi-cultural character of Ontario society.

The specific roles and responsibilities of the local Police Service related to young people and the school communities include:

- engaging and working proactively in partnership with school officials to ensure the effectiveness of this protocol;
- protecting public safety and preventing crime;
- enforcing the Youth Criminal Justice Act, the Criminal Code, and other federal, provincial, and municipal legislation and related regulations;
- assisting victims of crime through appropriate services;
- conducting Police and criminal investigations;
- assisting in the development of young people's understanding of good citizenship;
- promoting and fostering the prevention and reduction of crime, both against and committed by young people, adhering to the Hamilton Police Service Strategic Approach to Youth Crime, and;
- providing information on community safety issues.

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.*

Boards develop policies and procedures that outline the processes used to promote responsibility, respect, civility and academic excellence in a safe and caring learning and teaching environment.

It is the responsibility of the School Boards to provide an education for every student enrolled in their schools. In order to provide that education, Boards must ensure that schools are safe places for children and staff. School Boards are governed by the *Education Act* and Regulations.

The specific roles and responsibilities of the School Boards, Principals, teachers, and school staff related to safe and secure schools include:

- clearly explaining the Board’s code of conduct to students and their families, including definitions such as weapon* and negative impact on school climate*;
- engaging and working proactively in partnership with Police officials to ensure the effectiveness of this protocol;
- complying with the requirements related to the duties of Principals and teachers under the Education Act and relevant Regulations;
- roles and responsibilities of the Principal in conducting investigations of incidents for which suspension* or expulsion* must be considered under the Education Act, including the responsibility to take ‘mitigating and other factors’* into account;
- complying with the requirements legislated under the Child and Family Services Act (e.g., “duty to report”);
- respecting the Board’s code of conduct, as required by the Education Act (s. 302);
- ensuring that resources (e.g., drug awareness, bullying prevention) are accessible to assist school staff in promoting a positive school environment with students and parents/guardians*;
- developing policies on how to respond to crises, including the development of a crisis management plan, that includes how information can be potentially shared with the community;
- ensuring that appropriate prevention and intervention strategies are available;
- providing staff with opportunities to acquire the skills necessary to promote safe, caring, equitable, and inclusive school environments; and
- developing an effective mechanism for communicating the development of the local protocol with staff, students, parents/guardians, parent involvement committees (PICs), school councils, and Special Education Advisory Committees (SEACs), e.g. survey measures around safety, equity and/or school climate.

*denotes a definition found in Appendix A

6. DEFINITIONS/EXPLANATION OF TERMS

From time to time, there may be definitions, which are not addressed in this protocol and will be added to the protocol as necessary. Definitions can be found in Appendix A: Glossary. p. 38

7. OCCURRENCES REQUIRING POLICE RESPONSE

The following incidents require mandatory reporting to Police (*for students under the age of 12, refer to section 15 p. 32*). Note that mandatory/discretionary reporting to Police, does not mean that Police will lay charges in every situation; however, for the incidents listed, **Police must be notified**. The incidents listed include those that happen at school, during school-related activities in or outside of school, or in other circumstances if the incident may have a negative impact on school climate.

The Police Officer and the Principal will communicate about the most appropriate response. This may include but is not limited to:

- no further action
- caution/warning
- Restorative Justice Conference (Extrajudicial Measures)
- criminal charges
- Restorative Practice (Education based)

(a) **Mandatory Notification of Police**

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

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

(b) Discretionary Notification of Police

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

- giving alcohol to a minor;
- being under the influence of alcohol or illegal drugs;
- threats* of serious physical injury, including threats made on social networking sites or through instant messaging, text messaging, e-mail;
- incidents of vandalism*; and
- trespassing incidents – please refer to each Board’s procedures for dealing with trespassing.

Principals should consider mitigating* and other factors when deciding whether to call the Police in these discretionary situations. It is expected that all other school-related occurrences not specified in the protocol will be dealt with by the Principal on a case-by-case basis, and that Police will be notified at the Principal’s discretion.

For students with special education needs, (section 14, pg.32) identifies circumstances where a Police response is neither necessary nor appropriate.

8. INFORMATION SHARING AND DISCLOSURE

(a) GENERAL INFORMATION:

Information in the possession and control of the Police Service is governed by various acts of both the legislature and parliament and include, but is not limited to, the Youth Criminal Justice Act, the Provincial Offences Act, the Municipal Freedom of Information and Protection of Privacy Act, and the Child and Family Services Act.

Information in the possession and control of the School Board is governed by the same legislation, and in addition, by the Education Act and the Personal Health Information Protection Act. From time to time the Courts will provide interpretation to various sections contained within the above-mentioned pieces of legislation. These decisions are binding case law and require authorities to adhere to the interpretation of the law. In certain circumstances, federal and provincial laws may appear to be in conflict with one another. In such cases, it is recommended that legal advice be obtained in order to determine whether the situation is one in which the federal legislation should take precedence.

School Board staff may be summoned to appear as witnesses in court. As with all incidents of a serious nature, including those requiring investigations, staff members are encouraged to keep written records of details relating to events where Police may be involved and should be available for reference when required. Notes should include dates, times, names of witnesses interviewed, all relevant observations and, where appropriate, a summary of any action taken by School Administration or other members of the school staff.

(b) REFERENCES TO DISCLOSURE OF INFORMATION TO POLICE:

Criminal Code

The Police can access a student's Ontario School Record (OSR) by warrant or subpoena, or with the written consent of a parent/guardian*, or of the student if the student is 18 years of age or older, or is 16-17 years of age and has withdrawn from parental control.

In exigent circumstances*, the Police can access a student's OSR without a warrant, under section 487.1.1 of the Criminal Code.

Education Act

Disclosure of the content of the OSR to the Police during an investigation may be made in the following circumstances:

- with the written permission of a parent/guardian* of the student or, with the written permission of the student if the student is 18 years of age or older, or is 16-17 years of age and has withdrawn from parental control.
- through service of a search warrant requiring the surrender of an OSR to the Police;
- through an appropriate court order (criminal or civil); or
- where authorized under the *Municipal Freedom of Information and Protection of Privacy Act*, i.e. for purposes of "law enforcement" (see CC above).

Where records are sought, Boards should obtain advice from their Freedom of Information Coordinators or their lawyers in order to deal with such issues as the following:

- whether the *Education Act* prevents the disclosure of OSR information;
- whether the OSR in question is relevant to the investigation; and
- where the OSR is relevant, whether a copy rather than the original may be submitted.

*See Appendix E for details of legislation relating to:

- *Youth Criminal Justice Act (YCJA)*;
- *Freedom of Information and Protection of Privacy Act (FIPPA)*;
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *Child and Family Services Act (CFSA)*;
- *Provincial Offences Act (POA)*;
- *Disclosure During Court Proceedings (Criminal Cases and Civil Suits)*

9. SCHOOL PROCEDURES FOR REPORTING TO POLICE

It is a primary responsibility of the Principal to initiate contact with the Police; however, in the event of an emergency any staff member is encouraged to make such contact.

➤ **Emergency 911**

To be used for all emergency calls, including assaults* in progress, disturbances, intruders or any immediate threat* to school safety and security.

➤ **Non-Emergency Calls for Service 905-546-4925**

To be used where no emergency exists but an officer is required to report incidents or provide assistance. Ask for Communications. Specify your position, reason for Police to attend, and your school dismissal time. Officers will be dispatched according to the Police Service Priority Response System.

➤ **General Inquiries**

Schools are encouraged to contact the SRO (School Resource Officer) or DYOW (Divisional Youth Officer) concerning day-to-day events, prevention programs, etc.

➤ **Related Police Involvement—Incident and Non-Incident**

Contact the Youth Serving Officer for the School (SRO or DYOW)

The Hamilton Police Service utilizes a Strategic Approach to Youth Crime, which encompasses the assumption by Police Officers of proactive measures toward crime prevention, as well as Problem-Oriented Policing. The following chart delineates the officers who are the predominant Youth Serving Officers within the Hamilton Police Service.

YOUTH SERVING OFFICERS—HAMILTON POLICE SERVICE

DIVISION 1 Central Administration & Investigative Services Division 905-546-4772	DIVISION 1 Central 905-546-4772	DIVISION 2 East End Lower Stoney Creek 905-546-2929	DIVISION 3 Mountain, Ancaster, Dundas Glanbrook, Flamborough, Stoney Creek 905-546-4930
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Youth Services Co-ordinator	Divisional Youth Officer (DYO)	Divisional Youth Officer (DYO)	Divisional Youth Officer (DYO)
	School Resource Officer (SRO)	School Resource Officer (SRO)	School Liaison Officer (SRO)
Crime Prevention Co-ordinator	Community Services Officer (CSO)	Community Services Officer (CSO)	Community Services Officer (CSO)
	Crime Prevention Officer (CPO)	Crime Prevention Officer (CPO)	Crime Prevention Officer (CPO)
Child Abuse Branch			
Family Violence Resource Unit			
Victim Services			
Gangs and Weapons Enforcement Unit			
	H.E.A.T. Teams	H.E.A.T. Teams	H.E.A.T. Teams
	Beat Officer	Beat Officer	Beat Officer

Calls by a school for emergency service or for non-emergency Police response will be directed through regular Police channels (at 911 and 905-546-4925 respectively). The appropriate response to a call for service will be determined by the Police Service in accordance with the HPS Priority Response.

Where a Principal wishes to make an inquiry about, or seeks information in relation to, a non-incident-related Police function, he or she may contact the Officer to whom the responsibility is assigned, as noted below.

The following provides a brief description of the incident* and non-incident related activities/ functions which Youth Serving Officers will perform:

➤ **Youth Services Co-ordinator:**

- conduct research, development and evaluation of many youth initiatives;
- review new ideas, participate in design, facilitate development and implementation, monitor and evaluate existing initiatives;
- co-ordinate Divisional Youth Officer and School Resource Officer initiatives;
- act as Service authority on the *Youth Criminal Justice Act*;
- disseminate information received on high risk offenders; and
- deliver training programs and presentations to members of the Service.

➤ **Division Youth Officers (DYO):**

- administer Extrajudicial Measures* such as the Referral (Pre-Charge Diversion Program) and Strategic Targeted Offender Program (STOP);
- liaise and work in partnership with external youth serving agencies; and
- act as a resource to other divisional personnel regarding youth issues.

➤ **School Resource Officer (SRO):**

- Resource Officer for schools;
- committed to middle (grade 6, 7&8)and secondary schools;
- appear in classrooms and assemblies for presentations;
- interact with students;
- liaise between schools and Police Service; and
- receive incident reports (school related) and follow up when deemed necessary.

➤ **Crime Prevention Co-ordinator:**

- plan, develop, implement, coordinate and evaluate various crime prevention and community relations programs;
- coordinate activities among and between Community Services Officers and Crime Prevention Officers from each of the three policing divisions; and
- liaise with the various areas of the Service, other agencies and community groups.

- **Community Service Officer (CSO):**
 - deliver school-based personal safety and community based programs for Junior Kindergarten (JK) to Grade 6 students (programs may also be delivered by Police volunteers or auxiliary officers);
 - deliver youth safety and crime prevention education; and
 - develop and implement crime prevention programs.

- **Crime Prevention Officer:**
 - work in partnership with the community by managing community problem-solving plans and facilitating the delivery of community problem solving initiatives.
 - identification and training of citizen volunteers and community groups in crime prevention, who will work collaboratively with the Police to solve problems.

- **Child Abuse Branch (CAB):**
 - investigate and/or provide investigative assistance for any physical or sexual-related incidents where the victim is less than 16 years of age.

- **Family Violence Resource Unit (F.V.R.U.)**
 - specially trained to monitor all reported incidents of domestic violence;
 - provide specialized support in high risk domestic violence situations and family court disputes;
 - investigate any out-of-province/country parental abductions.

- **Victim Services:**
 - composed of Hamilton Police Service staff and a large core of community volunteers;
 - service is available 24-hours-a-day, 7-days-a-week – 905-546-4904.

- **Gangs and Weapons Enforcement Unit:**
 - committed to the identification, arrest and dismantling of any gang*, criminal organization, or crime group, or its members responsible for violent criminal activities in the community;
 - act as a resource to the community and School Boards.

➤ **High Enforcement Action Team (H.E.A.T.):**

- develop, implement and evaluate enforcement and prevention actions to reduce crime, and resolve “quality of life” problems in neighbourhoods.

➤ **Beat Officer:**

- uniformed Patrol officer assigned to neighbourhood policing districts.
- If you want to establish special initiatives, call your:
 - Divisional School Resource Officer (Grades 6 through 12)
 - Divisional Community Services Officer (K through Grade 5)

Please note that due to schedules and shift work, it may be several days before messages left for individuals can be returned.

10. INITIAL POLICE CONTACT

Except under exigent circumstances, or if the Principal is being investigated, the officer is required to follow the procedures set out below.*

Police officers, subject to the *exceptions* above, will provide to the school Principal prior notice of an intended school attendance, where the attendance is not as a result of a call from the school for a Police response.

The Police officer who responds to a report of a school related incident is responsible for obtaining and thoroughly documenting information on the incident. The officer is normally required to take the following steps:

- report to the Principal, providing proper identification;
- explain the purpose of the visit, and plan with the Principal on how to proceed;
- consider alternatives that limit the disruption to the school day;
- subject to the provisions of the Education Act and MFIPPA, obtain information from the Principal about the student (e.g., regarding accommodation needs or barriers to communication) before making contact with the student; and
- contact, or make arrangements with the Principal to contact parent/guardian* of students under the age of 18 (see section 12(1)).

Where the Principal is under investigation, Police will contact the Superintendent of Education and/or the Director of Education through the appropriate chain of command.

STRANGER DANGER

School Boards and Hamilton Police Services have the same goal in mind—to keep students safe both at school as well as travelling to and from school. When any type of incident* occurs that potentially threatens a student’s safety, Police and School Boards work closely together throughout the investigation.

School Boards take their direction from Police in communicating an incident based upon the findings of an investigation. There are three types of communication that may occur under the direction of Police:

VERBAL ALERT

This alert would be made by the Principal on the school’s PA system to remind students to walk in pairs when travelling to and from school.

WRITTEN ALERT

A letter would be sent to the school community with details about the incident, as well as a reminder to students to walk in pairs, and cautions students can take to ensure their continued safety.

MEDIA ALERT

At times, Police may choose to broaden their reach beyond a school community, based upon the findings of an investigation. In this instance, Police will work with local media to ensure the community is aware of the incident and its impact on the broader community.

In some cases, based upon the findings of an investigation, Police and School Boards may take no action regarding communication. This means that the investigation has revealed that the threat* was unsubstantiated and there is no perceived threat to the community; however, the school Principal, in consultation with the Superintendent, may choose to issue a communication to parents/guardians*, explaining an investigation occurred which was not substantiated. Principals/ Superintendents should call Corporate Communications for more direction.

For all other circumstances involving Police, communications will be coordinated between the Police, School Board and school.

The Police and School Board will continue to work closely together to ensure our communities are well informed and receive timely and accurate information that will benefit public safety.

While it is important that the Principal not do anything to prejudice the Police investigation, it is also important that the Police recognize and respect the Principal's obligations under the Education Act. For example, under the Act, a School Board's decision regarding expulsion of a student must be made within twenty school days from the date when the student was suspended. Police need to be aware of this fact and should, when possible, share with the Principal information that may be relevant to that decision. It is important that Police and schools cooperate, wherever possible, regarding their investigations.

Note that Police investigations should also be undertaken in accordance with the Hamilton Police Service criminal investigation management plan and, where required, with the Ontario Major Case Management Manual.

The Principal will inform Police of any logistical information about the school (e.g. hours of the school day and class rotation schedules) that may be relevant to the investigation process. Hamilton Police Service will endeavor to work within these logistical considerations in order to minimize the disruption to the school.

a) LEGAL RIGHTS

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

- parent/guardian* 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);
- protection of privacy (s. 110, Youth Criminal Justice Act); and
- parent/guardian* notification of victim and alleged aggressor. (Ref. Bill 157 & PPM 144)

b) SEARCH AND SEIZURE — GENERAL INFORMATION

Principals must inform students, parents/guardians*, and staff through school newsletters or student agendas of the school's right to search school property (e.g. lockers and desks).

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

- roles and responsibilities of Police and school personnel in conducting searches of persons or property (see search by Police and School Board staff below);
- the requirement that Police notify the Principal before conducting searches on school

premises. (Under some exigent circumstances*, Police may execute a search without a warrant and without notice to the Principal.);

- the continuing responsibility of the Principal for students even when Police are on school premises;
- Police are to ensure that procedures are followed in personal and premise searches, in accordance with the Ministry of Community Safety and Correctional Services' Guidelines LE-011 on search of premises, and LE-012 on search of persons, and relevant federal legislation;
- where a search is being conducted, Police and School Board staff shall ensure an involved student understands what is occurring by explaining in language appropriate to the student's age;
- when dealing with a student with a disability which affects communication or comprehension, or with a person who does not speak English, Police or School Board staff shall, where practicable, obtain the assistance of an interpreter or other person who can help the student understand the process.

c) SEARCH OF THE PERSON

(i) BY POLICE:

- Police officers may search a student with consent.
- On Arrest—Police officers are permitted to search for, and seize, items that may cause injury, assist in an escape, or constitute evidence. A "frisk" or "pat down" search is permissible as an incident to any arrest.
- If an officer has reasonable grounds to believe that it is not desirable (in the interests of safety of a person or other persons) for the person to possess any bullet, weapon, prohibited device, ammunition or prohibited ammunition; and grounds exist to obtain a search warrant, but by reason of a possible danger to the safety of that person or any person, it would not be practicable to obtain a search warrant, the officer may search for and seize any of the above-mentioned items. [117.04(2) CC]

Furthermore, if an officer believes on reasonable grounds that any of the above-mentioned items were used during an offence, or that an offence has been committed, that involves any of the following:

- firearm
- imitation firearm
- a crossbow
- prohibited weapon
- restricted weapon
- prohibited device
- ammunition
- prohibited ammunition
- explosive substance

and the evidence can be found on a person, in a vehicle or any place or premise if there are exigent circumstances* and it is not practicable to obtain a search warrant, the officer may search and seize the evidence of the offence. (S 117.02(1), *Criminal Code*)

Searches for the above-mentioned items can also occur with a search warrant. The Police shall not be denied access to conduct such searches on School Board property.

In relation to illegal drugs, the Police may enter and search a place with a warrant. Also, a Police officer can search a place without a warrant if there are reasonable grounds to believe that there are illegal drugs contained in any place but because of exigent circumstances, it would be impracticable to obtain a warrant.

(ii) BY SCHOOL BOARD STAFF:

Under the *Charter of Rights* (Section 8), everyone has a right to be secure against unreasonable search or seizure. The Supreme Court of Canada and the Ontario Court of Appeal have ruled that a Principal, who has reasonable grounds to do so, may conduct a search of a student or their possessions in carrying out his or her duties to maintain order and discipline in the school. (Reference: *R. v. M.R.M.* (1998) (S.C.C.) and *R. v. J.M.G.* (1986) (O.C.A.) However due to the potential for legal challenges, School Board staff shall consult with his/her Supervisory Officer before conducting a search of the person.

d) SEARCH OF SCHOOL PREMISES—DESKS/LOCKERS

(i) BY SCHOOL BOARD STAFF:

- Desks and school lockers are school property. Accordingly, the courts have ruled that there is no expectation of privacy, which must be protected. As such, a search of such property is permissible by the school administration when acting as an agent of the School Board but not as an agent of the Police. The school personnel may wish to have the student present when the locker or desk is opened to avoid allegations relating to the search and/or to the location of any property.
- It is the responsibility of the Principal to ensure that students are informed at the beginning of the school year that desks and lockers are assigned to them for their use but remain school property and that, accordingly, there is no entitlement to privacy therein.
- Where an offence is reported to a Principal, the Principal has the duty to carry out an investigation to establish the nature and extent of the alleged offence. This may include a search of the locker or desk. As a rule, when it becomes apparent that an offence has been committed the Police shall be notified to continue the investigation. However, in the case of minor offences, whether or not to call the Police is within the discretion of the Principal.

(ii) BY POLICE:

- Police may conduct a search of school property on one or more of the following grounds:
 - with the consent of the school Principal where the area/item to be searched is school property (e.g. desk,locker); Principals must do so with great care to avoid being an agent of the police.
 - incidental to arrest (immediate area of arrest); and/or
 - by warrant.

e) **SEARCH OF VEHICLES PARKED ON SCHOOL PROPERTY**

The Police may conduct a search of a vehicle parked on school property on one or more of the following grounds:

- with the consent of the owner/operator;
- incidental to arrest where the arrest occurs within the immediate vicinity of the vehicle; and/or
- by warrant.

f) **DETAINMENT AND ARREST**

- Whether or not the incident giving rise to the need to arrest is school-related, the Police will, in the interests of school safety and morale, consider alternatives to arrest on school property, where possible.
- When it is necessary for a student to be arrested at school during school hours, the Police will affect the arrest in a manner to minimize disruption of school routines, to the extent possible.
- Where a student is to be arrested on school property during school hours, and where permitted by the circumstances, the Police will contact the Principal to arrange a suitable procedure to access the student. However, where a student is to be arrested, the Police shall not be denied access to the student, in any case.
- Upon arrest, a search of the student will be conducted in accordance with law (Reference: Search and Seizure s.11(b) of this Protocol).
- Where detention is not required, the student may be released from the school, in accordance with the release provisions of the Criminal Code. The student may be required to sign documentation for this purpose.
- Where physical restraints are required, they will be employed in accordance with Police policies and procedures pertaining to arrest.
- School Board staff shall not interfere with, or obstruct, a Police officer during the course of an arrest.
- Where an arrest or detention occurs on school property, School Board staff shall assist in notification to the parent/guardian*, as required/directed. Where the student is removed from the school in Police custody, and notification has not occurred prior thereto, school personnel **subject to Police consultation**, shall continue to make reasonable efforts to contact the parent/guardian* of the student and advise of the fact of the arrest and the location of the student.
- Parents/guardians* will not be notified in certain circumstances (i.e. where the parent/guardian is/may be a party to the offence and to contact him/her could interfere with the Police investigation or cause child protection issues). In such cases, it is the responsibility of the Police in consultation with a Children's Aid Society, where applicable, to determine the proper course of action. The Principal may assist in suggesting alternative adults to serve in a supporting capacity to the student.
- Legal grounds exist for the Police to demand entry into a school to save lives.

g) **SUPPORTS FOR VICTIMS**

Local School Boards:

Principals or delegates have the obligation to inform the parents/guardians* 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/guardians (Education Act, s. 300.3(1), Bill 157 and O.Reg. 472/07).

It is required 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).

The local School Boards offer guidance, counseling, and professional services through their social work department.

Hamilton Police Service:

The Hamilton Police Service has available a 24-hour-a-day/7-day-a-week Victim Services Branch operated out of Police Headquarters at 155 King William Street, which can be accessed by contacting 905-546-4904 or through any Police Service member.

The Police Service will notify victims of crime and other circumstance of the availability of Police Service Victim Services, as appropriate. Victim Services will assist with community referrals.

If a young person* is dealt with by an Extrajudicial Sanction*, the identity of the young person and how the sanction was dealt with can be provided to the victim on the request. Any information which could identify a child or young person as a victim or a witness to an offence committed or alleged to have been committed by a young person is prohibited from being published.

RELEVANT LEGISLATION

- (i) The following provincial and federal legislation may affect the manner in which a Police investigation will be conducted:
- The *Criminal Code of Canada (CC)*,
 - The *Youth Criminal Justice Act (YCJA)*,
 - The *Controlled Drugs and Substances Act (CDSA)*,
 - The *Police Services Act (PSA)*,
 - The *Food and Drugs Act (FDA)*,
 - The *Canadian Charter of Rights and Freedoms (Charter of Rights)*,
 - The *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*,
 - The *Education Act (EA)*,
 - The *Child and Family Services Act (CFSA)*,
 - The *Trespass to Property Act (TPA)*,
 - The *Provincial Offences Act (POA)* (Specifically Part VI “Young Offenders”), and
 - The *Freedom of Information and Protection of Privacy Act (FIPPA)*
- (ii) Federal legislation, such as the Criminal Code and the *Charter of Rights*, will take precedence over provincial legislation. Investigations conducted by the Police will comply with the requirements of all applicable legislation and will be conducted pursuant to the provisions of the Hamilton Police Service Criminal Investigations Management Plan and, where required by the nature of the offence, the Ontario Major Case Management Manual.
- (iii) Where the incident being investigated involves a child in need of protection, Police officers and School Board staff will comply with their legal duty to forthwith report to a Children’s Aid Society. (Reference: CFSA, ss.72(3) and (4))

GENERAL

While School Board staff have a responsibility to support students being interviewed by Police, they must be careful at all times not to compromise the Police investigation.

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.
- Principals must make best efforts to contact parents/guardians* though all available contact numbers, as soon as possible before the interview, and document such attempts. (refer also to Section 12(a).
- Wherever possible, Police will contact the school Principal prior to attending to conduct an interview, and shall arrange, in conjunction with the Principal, the most appropriate time and place to conduct a student interview, taking into account factors such as the need to disrupt school programs to the most minimal degree possible.
- Where the parent/guardian* refuses the request for an interview to commence at school, Police will conduct the interview off of school property.
- The Police will determine the methodology of the interview. The Police will also determine if the interview will be audio or videotaped and will obtain any necessary consent. If there is more than one officer involved, the officers will determine who will take the lead in conducting the interview.
- A parent/guardian*, third-party adult, or the Principal if no alternative is available, must be present when students under the age of 18 are being interviewed at school.
- Where a student aged 12 to 17 waives the right to have an adult present at the interview, the Police and the Principal must consider the most appropriate location for conducting the interview and take steps to ensure that the student's rights are respected during the interview.
- 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 C).
- 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.
- If the student to be interviewed is not in attendance at school, the Principal shall inform the Police of the student's full name, date of birth, address, phone number and the parent/guardian's* home or business phone numbers in accordance with the provisions of MFIPPA. This provides authority to disclose personal information to law enforcement officials conducting a law enforcement investigation. (Section 32(g))
- Refer to Appendix F for flowcharts regarding the following situations; interviewing a victim/witness, interviewing suspects under 12, interviewing suspects 12-17 years old and interviewing suspects over 18 years of age.

12.1 NOTIFICATION TO PARENT/GUARDIAN

Except in exigent circumstances*, it is the Principal's responsibility to contact parent/guardian* of:

- victims who have been harmed as the result of an activity for which suspension or expulsion must be considered, unless, in the Principal's opinion, notification of the parent/guardian* would put the student at risk of being harmed by the parent/guardian*. If that is the case, the parent/guardian* must not be contacted (Education Act, s. 300.3(3));
- students receiving a suspension (Education Act. 311);
- all other students being interviewed by Police during an investigation, except:
 - if the Principal is otherwise directed by Police because of exigent circumstances* or where the Police believe the parent/guardian may be implicated;
 - if the student is 18 years of age or older, 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 a 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/guardians*.

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

- Where the parent/guardian* is contacted, they shall be advised that the student is being interviewed as a witness or victim. If the parent/guardian* refuses to grant permission for the student to be interviewed by the Police, the Principal may request that the Police conduct the investigation off school property.
- Should the parent/guardian* not wish to attend the school, or the school is unable to contact the parent/guardian* within a reasonable amount of time, the Principal shall be present during any interview of the student held at the school provided the Police and the student agree.

The onus is on the Police to advise the Principal if notification of the parent/guardian* would endanger the student of the investigation. The parent/guardian* 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.

Except when directed not to by the Police, Principals shall notify the parent/guardian* of student removed from school property.

If a student is detained or arrested, the Police will notify their parent/guardian*, unless the student is 18 years of age or older, or if the student is 16 or 17 years of age and has withdrawn from parental control. The parent/guardian* 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.

12.2 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 another location rather than at 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);
- 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).

12.3 CONDUCT OF INTERVIEWS

When conducting interviews of students:

- Police shall follow the *Guide to Officers for Section 146 Youth Criminal Justice Act Statements* (see Appendix C);
- 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;
- involve the local Children's Aid Society in the interview process, which is recommended 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/guardian*, or another adult of the student's choice present.
- when a parent/guardian*, or other adult selected by the student cannot be present, the Principal must attend the interview.
- where a student is 18 years of age or older, or if the student is 16 or 17 years of age and has withdrawn from parental control, and expresses a desire not to have a parent/guardian* contacted, the Principal may be present during any interview of the student held at the school, provided the Police and the student agree.
- persons under the age of 12 years cannot be charged with an offence in accordance with the provisions of the POA, the YCJA and the Criminal Code; however, where there are reasonable grounds to believe an offence has been committed by a child under 12 years of age, Police may apprehend the child without warrant. The child shall be turned over to their parent/guardian* as soon as practicable. (Ref: *Child and Family Services Act, s.42(1)*). Where it is not possible to turn a child over to their parent/guardian* within a reasonable time, the child shall be taken to a place of safety as determined by a Children's Aid Society until the child can be returned to the parent/guardian*. (Ref: *Child and Family Services Act, s. 42*)

*denotes a definition found in Appendix A

- except in exigent circumstances affecting the health or safety of the student, or any other person, a student under the age of 12 years will only be interviewed in the presence of the Principal, if the parent/guardian* is not available.

12.4 Interviewing Students Considered to be Witnesses or Victims

REFER TO FLOW CHART: APPENDIX F

Where the Police need to speak to students who are considered to be witnesses or victims, or who may have knowledge of criminal activity, the following procedures will be used:

- Except in cases involving a Police response at the request of the school, the Police will contact the Principal of the school to advise of the nature of the visit and to request a meeting with the student.
- Where the Police wish to question the student on school property:
 - i) if the student is under the age of 18 years, the school will advise the student that their parent/guardian* shall be contacted by the school and the parent/guardian* shall be provided with a reasonable opportunity to attend prior to the commencement of the interview by the Police, subject to *Note (pg.29)*; and
 - ii) if the student is 18 years of age or older, or is 16 or 17 years of age and has withdrawn from parental control, he or she is considered an adult and the school staff shall not contact the parent/guardian* without the permission of the student; however, if permission is received the parent/guardian* shall be contacted and provided with a reasonable opportunity to attend prior to the commencement of the interview by the Police, subject to *Note (pg 29)*; and
- Where the parent/guardian* is contacted, he/she shall be advised that the Police wish to interview the student as a witness or victim. If the parent/guardian* refuses to grant permission for the student to be interviewed by the Police, the school administrator may require that the Police conduct the investigation off school property.
- Should the parent/guardian* not wish to attend the school, or the school is unable to contact the parent/guardian* within a reasonable amount of time, the Principal shall be present during any interview of the student held at the school provided the Police and the student agree.
- Where a student is 18 or older, or is 16 or 17 years of age and has withdrawn from parent/guardian* control, and expresses a desire not to have a parent/guardian* contacted, the Principal may be present during any interview of the student held at the school, provided the Police and the student agree.
- If the Police wish to question the student off school property, the responsibility for proper parent/guardian* notification is that of the Police.
- When dealing with a student with a disability which affects communication or comprehension, or with a person who does not speak English, Police or School Board staff shall, where practicable, obtain the assistance of an interpreter or other person who can help the student understand the process.

*denotes a definition found in Appendix A

NOTES:

- There may be exceptional circumstances where the parent/guardian* should not be contacted, i.e. if the parent/guardian* is a suspect of the crime about which the student is being interviewed and to contact the parent/guardian* could interfere with the Police investigation. In such cases, it is the responsibility of the Police, in consultation with the appropriate School Board officials, to determine the proper course of action including whether to notify or involve the CAS. In such circumstances, the School Board may require that the Police conduct the investigation off school property and shall consider the direction from the involved Police officer regarding the contact of the parent/guardian*.
- If the student is a Crown ward or a ward of the (Catholic) Children's Aid Society, the parent/guardian* shall be considered to be the (Catholic) Children's Aid Society.
- Except in exigent circumstances* affecting the health or safety of the student or any other person, a student under the age of 12, if the parent/guardian* is not available, will only be interviewed in the presence of the Principal or designate.

12.5 Interviewing Students Considered to be Suspects or Accused

REFER TO FLOW CHART: APPENDIX F

STUDENTS UNDER 12 YEARS OF AGE

- The Police will contact the Principal of the school to advise of the nature of the visit and to request to meet with the student.

Notification will not occur in cases involving a Police response at the request of the school, or in exigent circumstances, including, for example, where a student is pursued by Police into the school and/or where the time required for notification may jeopardize the Police investigation. In those circumstances, the Police will advise the Principal of what has occurred at the first opportunity.

- Persons under the age of 12 years cannot be charged with an offence in accordance with the provisions of the POA, the YCJA and the CC. However, where there are reasonable grounds to believe an offence has been committed by a child under 12 years of age Police officers may apprehend the child without warrant. The child shall be turned over to his or her parent/guardian as soon as practicable. (Reference: *Child and Family Services Act*, s.42(1))

Where it is not possible to turn a child over to his or her parent/guardian* within a reasonable time, the child shall be taken to a place of safety as determined by a (Catholic) Children's Aid Society until the child can be returned to the parent/guardian*. (Reference: *Child and Family Services Act*, s. 42)

- Except in exigent circumstances* affecting the health or safety of the student or any other person, a student under the age of 12, if the parent/guardian* is not available, will only be interviewed in the presence of the Principal.

- When dealing with a student with a disability which affects communication or comprehension, or with a person who does not speak English, Police or School Board staff shall, where practicable, obtain the assistance of an interpreter or other person who can help the student understand the process.

STUDENTS BETWEEN 12-17 YEARS OF AGE (YOUNG PERSONS UNDER THE YCJA)

Where Police attend school property to interview a student as a suspect, or Police charge or arrest a student and interview him/her as an accused, the following procedures will be followed:

- The Police will contact the Principal of the school to advise of the nature of the visit and to request to meet with the student.

There may be cases where notification will not occur, such as in cases involving a Police response at the request of the school, or in exigent circumstances*, including for example, where a student is pursued by Police into the school and/or where the time required for notification may jeopardize the Police investigation. In those circumstances, the Police will advise the Principal of what has occurred at the first opportunity.

- Whether the interview occurs on school property or elsewhere, the Police shall comply with the requirements of the YCJA and *Charter of Rights*, informing the student of:
 - the nature of the charge(s) to which the interview pertains and/or the reason for arrest/detention;
 - his/her right to retain and instruct counsel;
 - the standard cautions.

Prior to conducting the interview of a young person*, or taking an oral or written statement from a young person, the Police will explain the following:

- that he/she is under no obligation to give a statement;
- that any statement given may be used as evidence in proceedings against him/her;
- that he/she has the right to have a reasonable opportunity to consult with counsel and a parent/guardian*, or in the absence of a parent/guardian, an adult relative, or in the absence of a parent/guardian or adult relative, any other appropriate adult chosen by the young person, which may include the Principal or other School Board staff, but cannot be a co-accused or someone under investigation in respect of the same offence.
- that any statement made by him/her will be made in the presence of counsel or the other person consulted unless he/she specifically waives this right in writing.

Where the young person* wishes to have a parent/guardian/other adult present, the Principal in consultation with the Police will attempt to make the contacts as required and to provide a reasonable opportunity for the individual to attend prior to conducting the interview of the young person. In any event, subject to the *Notes* below, the school will attempt to contact the student's parent/guardian* to inform them that the Police wish to interview the young person and/or is being arrested by the Police.

Where:

- i) the parent/guardian* or other chosen adult does not wish to attend the school, or
- ii) the school is unable to contact the parent/guardian*, or other chosen adult within a reasonable amount of time; the Principal shall be present during any interview of the student held at the school provided the student agrees.

A reasonable amount of time is to be determined in co-operation between the Police and the Principal; however, the ultimate test of reasonableness will rest with the Police.

The parent/guardian*/other adult has no right to attend the interview unless the young person agrees (the young person would be required to waive the right to have a parent/guardian* present in writing).

NOTES:

- Parent/guardian* will not be notified in certain circumstances. For example where the parent/guardian* is/may be a party to the offence and to contact him/her could interfere with the Police investigation or cause child protection issues. In such cases, it is the responsibility of the Police, in consultation with, the (Catholic) Children's Aid Society, where applicable, to determine the proper course of action. The Principal may assist in suggesting alternative adults to serve in a supporting capacity to the student.
- If the student is a Crown ward or a ward of a (Catholic) Children's Aid Society, the parent/guardian* shall be considered to be a (Catholic) Children's Aid Society.
- The Police may elect to interview a student at the Police Station. If the student is removed from school property, subject to Police consultation, the Principal, subject to *Notes* immediately above, will notify the parent/guardian* as soon as possible.
- No person shall publish the name of the young person or any other information related to a young person if it would identify the young person as a young person dealt with under the YCJA. See above *Notes*.

STUDENTS 18 YEARS OF AGE AND OLDER

Students 18 or older are considered to be adults. In these circumstances, the following procedures will be followed:

- The Police will contact the Principal of the school to advise of the nature of the visit and to request to meet with the student.

There may be situations where notification will not occur, such as in cases involving a Police response at the request of the school, or in exigent circumstances*, including, for example, where a student is pursued by Police into the school and/or where the time required for notification may jeopardize the Police investigation. In those circumstances, the Police will advise the Principal of what has occurred at the first opportunity.

- Whether the interview is conducted on school premises or elsewhere, the Police shall ensure the student is advised of his/her legal rights on detention or arrest, in accordance with the provisions of the *Charter of Rights*, including the nature of the charges / reasons for detention or arrest, his/her right to counsel, and any required Police Cautions.
- Neither the Police nor the school shall contact the student's parent/guardian* without the permission of the student.

Exception:

The provisions of the YCJA are not applicable unless the offence being investigated for which the student is arrested was committed while the student reached the age of 12 but was under the age of 18. In these circumstances, the procedures under Students 12-17, will be followed.

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

The local School Boards have developed policy and procedures in partnership with the respective local Children's Aid Societies (Catholic Children's Aid Society of Hamilton and the Children's Aid Society of Hamilton). The local Children's Aid Societies and the Hamilton Police Service have a protocol in place for investigation of children suspected to be in need of protection. All documents have been shared amongst the five agencies and form part of the respective Boards of Education Safe Schools Protocols.

If a young person* has been charged with an offence, a Youth Justice Court may refer the young person to a Children's Aid Society to determine if the young person is in need of protection.

14. INVESTIGATIONS INVOLVING STUDENTS WITH SPECIAL EDUCATION NEEDS

In investigations that involve a student known to have special education needs, mitigating and other factors must be taken into account by school personnel and Police.*

Identify the mitigating and other factors to be taken into account when an investigation involves a student (or students) known to have special education needs, who may be identified as having an exceptionality in any of the following categories: behaviour, communication, intellectual, physical, or multiple. (Refer to Section 7 and Appendix D of this Protocol)

- It is the responsibility of the school Principal to communicate to the Police when any student has a special need that may impede the student from expressing or understanding written/oral communication. In order to accommodate these types of situations consideration should be given to providing the student with a support person who is knowledgeable about the student's exceptionality and with whom the student feels comfortable. The Police should be sensitive to the vulnerability of such students in situations, which may be intimidating.
- Where an interpreter is required, the Principal will notify the Police in advance where possible. Where practical, the Police will arrange for an interpreter.
- Wherever possible, specialized resources (ie. FM system) will be arranged prior to the initial contact with the student through the co-operative efforts of the Police and the school board.
- The Principal needs to ensure the student's parent/guardian* is contacted as soon as possible, except in exigent circumstances* or where the Police believe the parent/guardian* may be implicated in the incident. The Police may allow the parent/guardian* of a child with special needs to be present during an interview. Should the Police officer make his/her intentions known to arrest a student, the Principal shall comply. The Police officer shall ensure that the student is advised of his/her legal rights.
- Where investigating an incident involving a student with special needs, Police may consult with the Police Service Child Abuse Branch to make use of the expertise of its members in interviewing children.

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

15. OCCURRENCES INVOLVING STUDENTS UNDER AGE 12

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

In addition, the Principal is required to conduct an investigation of an incident for the purpose of school discipline, for example, where a recommendation for suspension* or expulsion* may be required, regardless of the students involved.

Considerations for responding to occurrences involving students under the age of 12, include:

- Principals are expected to use their discretion in applying the rules outlined in Section 7 for reporting incidents to the Police;
- the requirement to notify the child's parent/guardian* as soon as possible, except in exigent circumstances*, or where the Police believe the parent/guardian may be implicated in the incident;
- the authority Police have to take reports, make referrals to additional services (e.g., health/counselling), and conduct interviews;
- the circumstances under which there is a duty to report children suspected to be in need of protection to the local Children's Aid Society, under subsection 72(1) of the Child and Family Services Act (e.g., when there is evidence of abuse or neglect, or the risk thereof; when the child has committed serious acts and the child's legal guardian is not accessing appropriate treatment); and
- the requirement to provide accommodations and/or modifications for students with special education needs, as outlined in the student's Individual Educational Plan (IEP).

School Principals and Police will refer to the local CAS/CCAS protocol for child maltreatment, including child abuse and neglect.

16. SCHOOL BOARD COMMUNICATION STRATEGY FOR THIS PROTOCOL

To promote knowledge and understanding of the contents of the protocol as well as consistency in its application, parties of this protocol will develop communication mechanisms such as newsletters, student agendas, websites, safe school handbook, etc.

Key targets of the communication strategy are students and their families, who 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, should that activity have a negative impact on school climate.

Communication materials should use plain language, and should be available in appropriate language(s) and accessible formats, as deemed appropriate.

This 2011 edition of the Police/School Board Protocol was updated using the Provincial Model for a Local Police/School Board Protocol (Ontario 2011). It reflects the changes in legislation as well as the report of the Safe Schools Action Team (SSAT) of December 2008.

The protocol will be shared with students and parents/guardians*. Other stakeholder groups to consider include:

- Trustees;
- Senior Administration;
- Principals, and through the Principals:
 - staff; and
 - school councils;
- Social Workers
- Parental Involvement Committee (PIC)
- Special Education Advisory Committee (SEAC)
- Safe Schools Committees; and
- Community agencies deemed appropriate by both the School Boards and the Hamilton Police Service.

Each stakeholder group will be responsible for ensuring that members of their organizations are aware of the changes in this updated document. Copies of the Protocol will be available at each school, each Police division and at the respective Board offices.

The Police/School Boards Liaison Committee will monitor the implementation of the Protocol and will meet periodically thereafter to ensure the Protocol's legislative accuracy and to serve in a dispute resolution capacity.

17 PROTOCOL REVIEW PROCESS

The review of the local protocol will be facilitated by the Police/School Board Liaison Committee every two years, or sooner if required.

18 SCHOOL/POLICE ROLE IN VIOLENCE PREVENTION

Police and Principals collaborate to promote positive relationships.

It is important that a coordinated and multifaceted approach on the part of the School Board(s) and Police be facilitated to promote positive behaviour and prevent school violence.

STRATEGIES THAT SCHOOLS CAN USE TO HELP PREVENT VIOLENCE INCLUDE:

- helping students develop social skills, including conflict-resolution skills;
- pro-actively identifying students at risk and giving them extra support;
- using progressive discipline to teach and encourage appropriate behaviour in the school;
- viewing each student as an integral and contributing member of the school community;
- demonstrating, by example and leadership, that students' human rights are to be respected; and
- encouraging students to return to the school community after involvement with the criminal justice system, and supporting them in the process.

STRATEGIES THAT POLICE CAN USE TO HELP PREVENT VIOLENCE IN SCHOOLS INCLUDE:

- developing positive partnerships with all members of the school community, including parents/guardians*;
- being visible within the school community;
- being a positive adult role model for students;
- establishing positive relationships with children and youth;
- making referrals based on the best interest of the students;
- helping deliver educational sessions on crime and criminal justice issues;
- being part of an integrated, multi-agency team that can respond to children and youth at risk of conflict with the law;
- facilitating communication and cooperation with school officials, Youth Justice Probation Services, other Police officers, courts, and other social services; and
- supporting students as they return to the school community after involvement with the criminal justice system.

The local Police/School Board protocol is one component of a broader partnership between schools and other essential community partners, including mental health providers, health care professionals, and Children's Aid Societies, that is dedicated to violence prevention in Ontario schools.

A coordinated and multifaceted approach is required to prevent school violence. The Police work in partnership with the School Boards and other community agencies to support programs for students such as peer mediation, mentoring, drug awareness and education, conflict resolution, restorative justice, and Student Crime Stoppers.

The Ontario Curriculum incorporates violence prevention through personal and social development learning expectations from Kindergarten to graduation. Expectations focus on knowledge and skills in student development, interpersonal development, career development, healthy lifestyles, problem solving, decision-making, conflict resolution and personal goal setting.

The Police, through its school liaison programs, work with school Principals and other Board staff toward the prevention and correction of youth crime. The Strategic Approach to Youth Crime includes programs such as STOP (Strategic Targeted Offender Program) and Referral Program and uses varied internal resources, including Crime Prevention Co-ordinator, Community Service Officers, Crime Prevention Officer, the Youth Services Coordinator, Divisional Youth Officers, School Resource Officers, COAST (Crisis Outreach and Support Team), HEAT, and the Gangs and Weapons Enforcement Unit.

The Police work with parents/guardians* through presentations to school councils, on topics such as bullying, street-proofing and safety. The Police also work in concert with other agencies in bringing preventive programs such as bike safety, safe graduations, and internet safety to schools for the education of students, staff and parents/guardians*.

19 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.

The Police/School Boards Liaison Committee has, as one of its main objectives, the monitoring and reviewing of safety issues. School floor plans have been shared with the Police and a safe school survey has been developed and employed.

When physical alterations to a School or Board building are being considered, especially with the goal of enhancing safety, the Police/School Boards Liaison Committee may be consulted for input and/or direction. Concepts derived from C.P.T.E.D. (Crime Prevention Through Environmental Design) may be utilized. This is accessed through the Divisional Crime Prevention Officer via the school's respective Superintendent.

20 RISK/THREAT ASSESSMENT SERVICES

Incidents of violence in schools are often preventable through early intervention in response to threatening behaviour, or non-threatening but worrisome behaviour. Taking steps to identify at-risk students through early and ongoing assessment and intervention strategies, many of which are identified in the School Board's progressive discipline policies, may reduce the need for disciplinary action and Police interventions.

A multi-agency approach to threat/risk assessment can be a highly effective means of preventing and managing situations that could otherwise negatively affect the safety of students and/or school staff. School Boards, along with Police and other community partners (e.g., mental health

agencies, Youth Justice Probation Services, and other youth-focused agencies), have developed risk and/or threat assessment procedures. See Appendix G

21 EMERGENCY PLANNING AND THREATS TO SCHOOL SAFETY

The School Boards have Emergency/Crisis Response Procedures in place. Schools carry out emergency drills on a regular basis and continue to develop school-based plans to address emergency situations. As part of the Emergency and Crisis Response Plan, it is anticipated that the School Boards will provide the Police Service copies of floor plans for all the schools under their control for use and emergency situations.

The City of Hamilton coordinated an emergency measure plan and included all stakeholders in the development of a Community Emergency Response Plan. The Hamilton Police Service provided an education package on the Police response to acts of violence in the schools.

Emergency and crisis response plans are included within the S.P.E.A.R. protocol. Refer to Appendix H *School Police Emergency Action Response*

The Provincial Policy for Developing and Maintaining Lockdown Procedures for Elementary and Secondary Schools in Ontario, issued in June 2009 by the Ministry of Education and the Ministry of Community Safety and Correctional Services specifies two mandatory components, as follows:

- All publicly funded School Boards in Ontario must establish a lockdown policy to ensure the development and implementation of individual school plans.
- A minimum of two lockdown drills must occur each school year.

The Lockdown Protocol is included in this document as Appendix “B”.

22 TRAINING

School Boards and Police Services will provide joint training on the local Police/School Board protocol to their respective staff on an annual basis.

GLOSSARY

APPENDIX A

Some of the definitions below are based on language used in the appropriate legislation. They are not to be taken as the official legal definitions set out in the legislation.

Adult:	A person 18 years of age and older.
Assault:	<p>A person commits an assault when:</p> <ul style="list-style-type: none">▪ without the consent of another person, he/she applies force intentionally to that other person, directly or indirectly;▪ he/she attempts or threatens, by an act or gesture, to apply force to another person, if he/she has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose;▪ or while opening wearing or carrying a weapon or imitation thereof, he accosts or impedes another person or begs. <p>This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault. <i>(Ref. Criminal Code of Canada)</i></p>
Arson	Intentionally or recklessly cause damage by fire or explosion to property
Bodily Harm:	Means any hurt or injury to a person that interferes with the health or comfort of the person and that it is more than merely transient or trifling in nature.
Bullying:	Typically a form of repeated, persistent, and aggressive behaviour directed at an individual or individuals that is intended to cause (or should be known to cause) fear and distress and/or harm to another person's body, feelings, self-esteem, or reputation. Bullying occurs in a context where there is a real or perceived power imbalance. Bullying can be physical, verbal, social, or electronic/cyber.
Child:	A person who is under the age of 12 years <i>(for police purposes)</i> .
Child Apprehension Order:	A court order issued by a Justice which requires the Police to take all reasonable steps to locate, apprehend and turn over the children listed in the order to a party named therein. A child apprehension order can be issued by a court where it is satisfied that a child is being illegally withheld from a person entitled to custody or access. <i>(s. 36(2) of the Children's Law Reform Act)</i>
Criminal Harassment:	Criminal harassment generally consists of repeated conduct that is carried out over a period of time and that causes victims to reasonably fear for their safety but does not necessarily result in physical injury.

Custodial Parent:	Refers to the parent who has custody of a child pursuant to a court order or separation agreement. There can be joint custody situations. Also, custody may be used to refer to the parent with whom the child resides even if there is not court order or separation agreement, providing the living arrangement is with the consent, implied consent or acquiescence of the other parent.
Custody:	To be detained, placed under arrest, or imprisoned.
Custody Order:	A court order issued by a Justice which specifies the primary caregiver of a child. Custody orders may define the circumstance by which non-custodial parent or caregiver has access to a child. Generally, there are no Police enforcement authorities within a custody order.
Exigent Circumstances:	Urgent, pressing, and/or emergency circumstances. Exigent circumstances usually exist when immediate action is required for the safety of the Police or others. Such circumstances may include a bomb threat, a person possessing or using a weapon, or a fire on school property.
Expulsion:	The removal of a student from his or her school or from all schools of the board. A student who is expelled only from his/her school is 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.
Extortion:	The use of threats, intimidation, or violence towards a person to obtain something of value from that person or someone else, or to cause that person or someone else to do something.
Extra-judicial Measures:	Measures used by Police to hold a young person accountable for his or her alleged criminal behaviour, in a timely manner, outside the formal youth justice system. The formal system would include charging the individual and going through the court process. Examples of extra-judicial measures include substance abuse counseling, volunteer work, restitution, letter of apology, and restorative justice.
Extra-Judicial Sanctions:	Sanctions, which are part of a program other than judicial proceedings under the <i>Youth Criminal Justice Act</i> , are used by the Attorney General or his/her delegate to deal with a young person alleged to have committed an offence.
Gang Related Occurrences:	Incidents involving a group, consisting of three or more persons, however organized, having as one of its main purposes the commission or facilitation of a criminal offence in which any or all of the members engage.

Hate- and/or Bias Motivated Occurrences:	Incidents (e.g., involving statements, words, gestures) motivated by hatred or bias towards an identifiable group (i.e., a group distinguished by colour, race, religion, gender, sexual orientation, or ethnic origin) that are publicly communicated and that are willfully intended to promote or incite bias or hatred against such a group.
Incident:	Occurrences on or associated with school property or activities which require, or may require, Police response and/or Police involvement.
Legal Guardian	A person legally entrusted with the care of, and managing the property and rights of, another person, usually a child/youth who is under the age of 18. 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. <i>(Ref. Education Act).</i>
Lockdown:	A procedure used in response to a major incident or threat of violence within the school, or in relation to the school. <i>(See Appendix B for Lockdown Procedures)</i>
Mitigating and Other Factors:	Factors that shall be taken into account 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 <i>(Ref. Ed Act and/or Board policies).</i>
Negative Impact on School Climate:	A possible result of inappropriate activities or behaviours, whether those activities/behaviours occur inside or outside the school/school property. For example, cyberbullying often occurs outside school, but if it targets individual students and causes them to be afraid to come to school, it is having a negative impact on school climate.
Offence:	A violation of law for which a penalty is prescribed.
Parent/Guardian	For the purpose of this Protocol, refer to Custodial Parent or Legal Guardian as defined in this Glossary.. If the student is a Crown ward or a ward of the (Catholic) Children’s Aid Society, the parent/guardian shall be considered to be the (Catholic) children’s Aid Society.
Parole:	A term used when an offender is released from custody, after serving part of a custodial sentence. The offender is generally placed in the community with conditions that he/she must abide by. Any breach of those conditions could result in the arrest and re-incarceration of the offender.
Peace Bond:	A court order issued by a Criminal Court Justice whereby individuals are required to keep the peace and be of good behaviour towards one another for a period of up to 12 months. Other conditions may also be included. Breach of the order can result in arrest.

Possession of Drugs:	Having a controlled substance (e.g., a drug or narcotic, as set out in the Controlled Drugs and Substances Act) in one's personal possession, or possessing it jointly with others, including knowingly possessing an illegal drug elsewhere.
Probation:	A court imposed disposition/sentence issued by a Justice upon a person being convicted of an offence. During the period of probation, the offender must abide by set conditions, which the Justice has deemed appropriate in the circumstances. A violation of a probation order may result in the arrest of the offender.
Publication:	Means the communication of information by making it known or accessible to the general public through any means including print, radio or television broadcast, telecommunications or electronic means.
Recognizance / Undertaking:	After an offender has been charged with an offence, he/she may be released from custody on a Recognizance or an Undertaking. These are court-enforced orders, which allow the offender to remain in the community pending the outcome of the court case. The order will generally specify a number of conditions that must be abided by until the charges are finally dealt with in court.
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.
Restraining Order:	A court order issued by a Justice which sets conditions of a restraining order a person must abide by including, for example, "... not to molest, annoy or harass ..." a spouse and/or child/children. A breach may result in an arrest of the offender.
Robbery:	The use of violence or threats of violence to steal money or other property from a victim.
School Climate:	The sum total of all of the personal relationships within a school. These relationships must be founded in mutual acceptance, inclusion, respect, responsibility, and civility, and must be modeled by all.
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. <i>(Ref. Education Act, Part 13)</i>
Theft:	The fraudulent taking of personal property belonging to another, from his/her possession, or from the possession of some person holding the same for him/her, without his/her consent, with intent to deprive the owner of the value of the same, and to appropriate it to the use or benefit of the person taking.
Threat:	Any statement, act, or communication, by any means, including electronic, of an intent to cause harm, whether physical or emotional, to any person or thing, in circumstances where the person threatened believes, or has grounds to believe, the threat may be carried out.
Trafficking:	Assisting in any manner with the distributing of a controlled drug or substance, as set out in the Controlled Drugs and Substances Act, or with the distributing of weapons.
Vandalism:	Willful damage to property.
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.
Young Person:	<i>(under the Youth Criminal Justice Act)</i> A person who is, or in the absence of evidence to the contrary, appears to be between the ages of 12 and 17 years of age.



Secure Schools Policy Directive

(Lockdown, Hold and Secure, Shelter in Place)

September, 2011

This policy directive supports the **Safe Schools Pillar Policy No. 11.0** by providing direction for response requirements in the event of a serious violent threat or violent incident that would endanger the lives of staff or students (Lockdown). The policy directive also provides response requirements in the event of an external threat not related to schools (Hold and Secure) and environmental threats outside of the school (Shelter in Place).

Schools will incorporate the following procedures/guidelines into their School Lockdown Plans.

1.0 RATIONALE

The Hamilton Wentworth District School Board believes that every student has the right to learn, work and be present in a safe and secure environment. However, the possibility of a major incident of violence is a reality that cannot be overlooked. Everyone needs to know how to minimize the risk of harm to him/herself and how to protect our children, in the event of a major incident or threat of school violence.

School administrators, staff, students, parents, and police all have roles and responsibilities to support and implement the secure schools policy directive and procedures to help reduce the risk of harm to staff, students, visitors, and facility users should a violent or serious incident occur.

2.0 SECURE SCHOOLS TERMINOLOGY

This provincial **terminology is mandatory** to describe the type of situation occurring at or near a school. The terms are to be used consistently in all Ontario publicly funded schools to allow for consistency of response by staff, students, and emergency services.

2.1 "Shelter in Place": (May be recommended by Police, Fire Dept. EMS, etc.)

- is used for an environmental, or weather related situation, where it is necessary to keep all occupants within the school to protect them (e.g.. may include chemical spills, blackouts, explosions or extreme weather conditions);
- People enter and remain in the building with the doors and windows closed;
- Fans, including heating and air conditioning units, should be turned off to prevent outdoor air from entering the building;
- Normal operations may continue within the building.

- 2.2 **"Hold and Secure"**: (School most likely to be notified by Hamilton Police Services)
- is used when the school is secured due to an ongoing situation outside and not related to the school that requires all persons to remain in the building(e.g. bank robbery near a school);
 - the school continues to function normally, with the exterior doors locked until the situation is resolved;
 - staff member posted near each entrance to ensure no one leaves the building;
 - all movement in and out of the school is restricted;
 - exterior facing windows should be covered or blinds drawn, lights dimmed, where possible.
- 2.3 **"Lockdown"**: (usually initiated by Principal or school personnel)

***A lockdown is defined by police as the restriction of movement during the time of a potentially serious violent threat or violent incident that would endanger the lives of students and staff.*

- used when there is a violent incident or threat of serious violence within the school, or in relation to the school;
- the threat is inside the school, or is on school property, and poses an immediate threat to the students and staff;
- follow current lockdown procedures;
- all movement within the school and into and out of the school is restricted;
- doors remain open to permit police immediate entry.

Terminology is very important. Plans should clearly identify when "Lockdown" versus other terminology is to be utilized. Terminology used to initiate a secure schools situation should be in clear language, and leave no misunderstanding as to what is expected. Announcement notices using standard language to identify each of the terminology categories was previously sent to school offices to post beside the PA system or to pre-record for use in an emergency.

This information applies to the school buildings, portables, facility users such as Daycares, Recreation Centers, Early Years Centers, etc. Principals need to ensure that announcement notices are provided for each of these locales within the building.

The above terminology is to ensure consistency across the province. Common language across the province allows for easy integration when staff, students and other emergency service personnel are transferred from one jurisdiction to another.

3.0 MANDATORY PREPAREDNESS REQUIREMENTS FOR SCHOOLS

- 3.1 All schools must establish a secure schools plan that aligns with the secure schools policy directive.
- 3.2 A minimum of two lockdown drills must occur each school year.

4.0 STAFF, STUDENT, PARENT RESPONSIBILITIES

All members of the school community have responsibility for supporting and implementing the lockdown policy and school level plans.

- 4.1 **Principal**: The Principal is responsible for over-all school planning, the final content of the school plan, scheduling of drills, inviting police, fire and EMS to participate in and be aware of planning and drills, training of students and overall safety of staff and students. Administrators have an additional responsibility to work closely with police and other emergency personnel in all situations.

In an actual incident, the police are responsible for management of the threat and subsequent criminal investigation, however the principal shall provide full co-operation with police.

- 4.2 **Staff:** School staff, particularly administrators, have the overall responsibility for the training, safety and well being of students. Administrators, during a violent incident, have additional responsibilities in terms of working closely with police.
- 4.3 **Students:** Students have a responsibility to be familiar with the plan and to quickly respond to staff directions during a crisis situation. Any student with prior information or knowledge of an individual or a potential situation which may result in a violent incident must come forward with that information as soon as possible.
- 4.4 **Police:** Police are responsible to respond to and investigate violent incidents. During a violent incident police will assume command and control of the response and investigation and will liaise closely with school administration and other emergency services throughout the process.
- 4.5 **Parents/Guardians:** Parents and guardians must be informed of the existence of the lockdown plans in the school and should reinforce with their children student responsibilities to follow directions during a crisis and disclose any information they may have prior to or during a crisis situation.

5.0 MANDATORY REQUIREMENTS to be Included in School Lockdown Plans

5.1 School Level

- Throughout the school, post floor plans with areas marked for: Command Post (blue) and areas that cannot be locked down (red);
- identify off site locations to which students report if outside when a threat is in school or on school property;
- identify responsibilities of staff, administrators, students, and parents;
- completed floor plans, including room and portable numbers, are to be updated annually and sent to police using SPEAR data sheets by **November 1** of each school year.

5.2 Board Level

- Facilities management to send electronic copies of all school floor plans to police, and update as new schools are built.
- Board to consider, over the long term, installing mechanisms to notify persons who are outside and in high noise level areas when lockdown is initiated (eg. outdoor speakers, strobe lights).
- Board will ensure that all classrooms in all schools are numbered.

6.0 FACILITY USERS: Included in planning, training, and drills

- Facility users are those persons/organizations who share school space during the regular hours of the school day (eg. Daycares, Best Start, Parenting Centres, etc.)
- Facility users and school administrators must have each others' cell phone numbers.
- Facility users locations and cell phone numbers must be on the SPEAR data sheets.
- **Facility users must be aware of, and practice, lockdown drills 2 times per year.**

7.0 INITIATING A 'LOCKDOWN' (e.g. immediate safety threat to staff and students)

- Any adult who receives information requiring a lockdown should initiate it immediately using the PA system.
- All students remain in classrooms.
- Students in halls and washrooms report to the nearest classroom immediately.
- Teachers close (and lock, where possible) classroom doors, shut lights off, direct students to classroom area away from doors, down on the floor, remain quiet.
- The Board provides standard announcements to be posted beside PA systems to ensure correct terminology is used (shelter in place, hold and secure, lockdown in place).

8.0 INITIATING 'HOLD AND SECURE' (e.g. external threat)

- Police or Principal initiate using standard announcement
- Exterior doors are to be locked
- Students and staff remain in classrooms
- Students in portables must remain in portables until 'hold and secure' is lifted.

9.0 INITIATING 'SHELTER IN PLACE' (e.g. environmental)

- Principal initiates using standard announcement
- Exterior doors remain unlocked
- No one permitted to leave building or portables until the 'Shelter in Place is lifted.

10.0 NOTIFICATION OF SECURE AREAS

- All classrooms are to be numbered above the doorway entrance
- Facilities management will co-ordinate the numbering of classrooms as budget permits.

11.0 PORTABLES

- Facilities management will ensure all portables in the system are numbered.
- Numbers will appear on the upper corners under the fascia.
- The portable numbers are to be included on the SPEAR data sheet for Hamilton Police Service.

12.0 WASHROOMS: Procedures During Lockdown

- Students in the washroom should go immediately to the closest classroom if it is safe to do so.
- If it is not safe to do so, students should lock the stall door and sit on the toilet with their legs lifted out of sight.

13.0 OPEN AREAS: Procedures During Lockdowns

- Students move to the closest classroom or 'safe' location (eg. library).
- If unable to enter a classroom, find shelter with furniture, hall closets, etc.
- If near an exit and unable to go to a classroom, leave the building and go to the emergency off-site 'safe location'.

14.0 OUTSIDE OF SCHOOL BUILDINGS WHEN A SECURE SCHOOLS ALERT IS CALLED

Lockdown:

- continuous ringing of outside bell to indicate 'lockdown' is initiated;
- all staff and students proceed to the emergency off-site location as identified by the school emergency response plan;
- upon arrival at off-site location, attendance is to be taken and staff and students remain there until further notification from police or Principal.

Hold and Secure:

- ring bell for all students and staff who are outside to re-enter the building;
- announce 'hold and secure'.

Shelter in Place:

- ring bell for all students and staff who are outside to re-enter the building;
- announce 'shelter in place'.

**Newsletters sent home should include regular reminders for parents as to the emergency off-site location for staff and students. This location should also be posted on the school website.

15.0 CONTROLLED EVACUATION

- In the event of a prolonged situation, or a situation where the threat has been contained (e.g. barricaded individual), school plans should state that Police may initiate a controlled evacuation of the school.
- Controlled evacuation will normally be done on a room by room basis, with evacuees being escorted by police to the evacuation location.

16.0 FIRE ALARMS DURING LOCKDOWN

- In the event that a fire alarm is activated once a **lockdown** has been initiated, staff and students shall not respond as they normally would to a fire alarm.
- Staff and students must always be aware of other dangers such as fire, and be prepared to respond accordingly in order to ensure their own safety.
- Police and EMS will respond to lockdowns immediately and will respond to other visible dangers, such as fire.

17.0 PROCEDURES TO END A LOCKDOWN

- Police will make the decision to end a lockdown.
- If possible, the principals should make the announcement to end a lockdown after direction from police.
- Staff and students remain in the classroom until the police and/or principal come to get you.
- School plans should include a procedure for notification of end of lockdown at emergency off-site location.
- Notification to parents that a lockdown has ended will be done by synervoice and on the school website by Corporate Communications.

18.0 TRAINING

At the beginning of each school year, Principals shall:

- review the school lockdown policy directive with staff; including facility users, volunteers, etc.
- update the SPEAR data sheet with Police by November 1 annually;
- ensure that students, parents, and staff understand the rationale and expectations of the lockdown drills;
- inform parents of the school's lockdown plan through newsletters or as part of student agenda information.

19.0 DRILLS FOR LOCKDOWN

- Dates and times of the two lockdown drills must be recorded by the Principal.
- Principals shall set the date of drills and over-see the drill, however, police support/assistance should be utilized whenever possible during drills. Contact your school resource officer for support.
- Area supervisors of caretaking should be involved in drills.
- Staff, students, and parents should be given prior notice of an impending lockdown drill.
- Notify Police, EMS, and Fire Department of impending drills.
- The Board may invite Fire and EMS to a drill to test all of the systems, so they become familiar with HWDSB lockdown plans.

20.0 COMMUNICATION REGARDING LOCKDOWN

- A Secure Schools brochure for parents and families is provided to schools.
- Brochures should be given to new registrants as they enter the school.

21.0 MEDIA MESSAGES DURING LOCKDOWN, HOLD & SECURE, SHELTER IN PLACE

- Corporate Communications will facilitate communication during lockdowns in consultation with Hamilton Police Services.
- Corporate Communications will provide synervice, board website announcements, and media outlets with information during a secure schools situation where appropriate.
- Regular updates will be provided if a secure schools situation continues.

22.0 SCHOOL RECOVERY DURING A LOCKDOWN

- Principals are to refer to this specific section in the Crisis Management Manual.

23.0 MONITOR AND REVIEW

- Feedback from all stakeholders will be gathered annually.

24.0 Alignment to Other Board Policies and Provincial Legislation includes but is not limited to:

Government Documents

Part XIII of the Education Act

Access to School Premises – Ontario Regulation 474/00

HWDSB Strategic Directions

Creating Safe and Equitable Learning Environments

HWDSB Policies

Safe Schools Pillar Policies

Emergency Response Protocol

Police/School Board Protocol

Personal Electronic Devices Policy

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 his/her 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?"

Guide pour les Agents : Déclarations en Vertu De l'article 146 De La Loi Sur Le Système de Justice Pénale Pour les Adolescents

La Cour d'appel de l'Ontario a souligné l'importance d'enregistrer sur bande vidéo toute déclaration d'une personne inculpée. Ceci est d'autant plus important lorsqu'on envisage d'inculper un adolescent ou d'enregistrer sa déclaration et qu'il faut lui expliquer clairement les

éléments d'information prévus par l'article 146 **en des termes adaptés à son âge et à sa compréhension.**

Le meilleur moyen de prouver que vous avez adapté vos explications à l'âge et au niveau de compréhension de l'adolescent en question est de procéder à un enregistrement sur bande vidéo.

- Il est impératif que l'adolescent comprenne bien tout ce qui lui est dit et expliqué.
- Il ne faut pas se contenter de lire la formule à l'adolescent et de lui demander s'il ou elle comprend.
- Une approche objective et personnalisée, qui tient compte du niveau intellectuel et de toute autre caractéristique personnelle de l'adolescent, est nécessaire lorsqu'on procède à une entrevue.
- Avant de poser l'une ou l'autre des questions figurant dans la formule de déclaration, vous devez vous faire une idée du niveau de compréhension de l'adolescent afin de déterminer le langage approprié à utiliser pour lui expliquer ses droits. L'enregistrement de ce contact initial avec l'adolescent pour évaluer sa compréhension aura force probante.
- À cette fin, vous devez vous renseigner sur le niveau d'éducation de l'adolescent, sur ses aptitudes langagières et l'étendue de son vocabulaire, sur sa capacité à comprendre ainsi que sur son état émotionnel.
- Pour cela, il n'y a pas d'autre moyen que d'engager une conversation avec l'adolescent. La liste ci-dessous, même si elle n'est pas exhaustive, pourra vous guider pour mener cette conversation :

- ÷ Quel âge avez-vous?
- ÷ En quelle classe êtes-vous?
- ÷ Où allez-vous à l'école?
- ÷ Avez-vous une difficulté d'apprentissage?
- ÷ Êtes-vous dans une classe d'éducation spéciale?
- ÷ Avez-vous déjà été arrêté dans le passé?
- ÷ Avez-vous déjà fait une déclaration à un agent de police dans le passé?

- Lorsque vous aurez réussi à vous faire une idée suffisante du niveau de compréhension de l'adolescent, vous serez en mesure d'adapter votre explication des dispositions de l'article 146 à ses aptitudes.
- Même si rien ne vous oblige à demander à l'adolescent de vous réexpliquer ses droits, dans certains cas, cette technique vous permettra de vous assurer que vos explications étaient à la fois appropriées et suffisantes.
- Un moyen simple et approprié de déterminer si l'adolescent a bien compris est de lui demander « Pouvez-vous expliquer dans vos propres mots ce que ceci signifie pour vous? »

APPENDIX D

MITIGATING AND OTHER FACTORS

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

OTHER FACTORS

1. The student's history.
2. Whether a progressive discipline approach has been used with the student.
3. Whether the activity for which the student may be or is being suspended or expelled was related to any harassment of the student because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
4. How the suspension or expulsion would affect the student's ongoing education.
5. The age of the student
6. In the case of a student for whom an individual education plan has been developed,
 - i) whether the behaviour was a manifestation of a disability identified in the student's individual education plan,
 - ii) whether appropriate individualized accommodation has been provided, and
 - iii) whether the suspension or expulsion is likely to result in an aggravation or worsening of the student's behaviour or conduct.

RELEVANT LEGISLATION REGARDING SHARING OF INFORMATION AND DISCLOSURES

YOUTH CRIMINAL JUSTICE ACT (YCJA)

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

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

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

- subsection 110(1), which states that no person shall publish the name of the young person or any information that would identify the young person as a young person dealt with under the YCJA;
- subsection 111(1), which states that “no person shall publish the name of a child or young person, or any other information related to a child or a young person, if it would identify the child or young person as having been a victim of, or as having appeared as a witness in connection with, an offence committed or alleged to have been committed by
 - a young person;
- subsection 118, which states that no person shall be given access to a record and no information in the record shall be given to any person, where to do so would identify the young person as being dealt with under the YCJA;
- subsection 125(1), which states that “[a] peace* officer may disclose to any person any information in a record kept under section 114 (court records) or 115 (Police records) that it is necessary to disclose in the conduct of the investigation of an offence”;
- subsection 125(6), which permits a provincial director, youth worker, peace officer, or any other person engaged in the provision of services to young persons to disclose to a representative of a school board or school any information kept in a record under sections 114 to 116 of the YCJA if the disclosure is necessary:
 - to ensure compliance with an order made by the youth justice court for a young person released from custody to attend school;
 - to ensure the safety of staff, students, or other persons; or
 - to facilitate the rehabilitation of the young person.

YOUTH CRIMINAL JUSTICE ACT (YCJA) & POLICE/SCHOOL BOARD SHARING INFORMATION PROTOCOL

The Youth Criminal Justice Act (YCJA) contains a strict, mandatory regime relating to the publication and disclosure of information and reports pertaining to offences committed or alleged to have been committed by young persons.

- Section 110 of the *Youth Criminal Justice Act* provides that, subject to Section 110, no person shall publish the name of a young person or any other information related to a young person if it would identify the young person as the young person dealt with under the *Youth Criminal Justice Act*.
- Section 111 of the *Youth Criminal Justice Act* provides that, subject to Section 111, no person shall publish the name of a child or young person or any information related to a child or young person if it would identify the child or young person as having been the 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.
- For the purpose of both Section 110 and 111 of the *Youth Criminal Justice Act* “Publication” means the communication of information by making it known or accessible to the general public through any means including print, radio or television broadcast, telecommunication or electronic means.

While “publish” has been broadly interpreted by the courts, this provision does not:

- (a) prohibit a school board from exercising its rights to suspend or expel a student, and/or from holding a hearing for this purpose, or
 - (b) prohibit the disclosure of certain information to 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, by a peace officer or any other person engaged in the provision of services to young persons.
- Section 123(1) – the Police Service is not authorized to disclose YCJA records to a school board or Principal unless the school board and/or the Principal obtains an order from a Youth Justice Court Judge pursuant to Section 123(1)(a)(ii). Those subsections permit a Justice to order production to any person(s) deemed to have a valid or substantial interest in the record, to the extent directed by the Justice, if he/she is satisfied that the disclosure is desirable or necessary in the interest of the proper administration of justice. (Andrew to check)

Accordingly, without a court order, the Police Service shall not disclose or provide to the School Board / Principal any reports maintained under the YCJA **except** as permitted by s.125(6). Under s.125(6), the Police Service will generally share with the School Board / Principal information pertaining to young persons, including “high risk youth”*, and to

* “High risk youth” means a youth who is determined by a Police Service Divisional Youth Officer to pose a risk to the safety of the community and/or to him/herself, based on an assessment of the youth’s background, criminal convictions, history of involvement in criminal activity and current situation, pursuant to internal Police Service policies.

young persons who are subject to court ordered bail conditions, probation orders or conditional supervision, in the following protocol:

1. Young person information may only be shared by designated Youth Serving Officers (YSO), and only where the disclosure is necessary:
 - a) to ensure compliance by the young person with an authorization pursuant to s.125(6) of the YCJA or an order of any court concerning bail, probation or conditional supervision, re-integration leave, or
 - b) to ensure the safety of staff, students or other persons; and
 - c) to facilitate the rehabilitation of the young person.

2. Requests for information from school board staff shall be directed through the Principal to the YSO in the Division in which the school is located. (Please refer to Police Serving Officers chart S.18.1)
 - (a) Requests from grades JK to 5 will be directed to the Divisional Youth Officer (DYO).
 - (b) Requests from grades 6 to 12 will be directed to the School Resource Officer (SRO).

3. The designated YSO's shall provide information to the Principal or to the person in charge of the school facility only.

4. Information may be disclosed by designated YSO's either verbally or in writing. The nature and scope of the disclosure will be determined by the YSO pursuant to Police Service policies and procedures.

School Boards/Principals are responsible for ensuring subsequent compliance with the disclosure, storage and security, and destruction of information sections of the YCJA and any other legislation applicable in relation to any records and/or information disclosed to them by the Police Service. School Boards/Principals shall ensure these issues are appropriately covered within internal policies and procedures and/or protocols, and are adhered to at all times

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (MFIPPA)

This legislation regulates the collection and disclosure of personal information that is not related to the YCJA. As part of the local protocol, Police services and School Boards should develop a policy for the disclosure of personal information in situations under subsection 32(g) of the MFIPPA

(i.e., “to aid an investigation undertaken with a view to a law enforcement proceeding ...”).

Further information regarding the release of students’ personal information can be found in the Office of the Information and Privacy Commissioner’s Guide to Ontario Legislation Covering the Release of Students’ Personal Information, at www.ipc.on.ca/english/Resources/Discussion-Papers/Discussion-Papers-Summary/?id=495

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (FIPPA)

The Freedom of Information and Protection of Privacy Act includes issues related to disclosure between Provincial Ministries i.e. the Ministry of Education and the Ministry of Children and Youth Services. An institution shall not disclose personal information in its custody and control except where it is to an institution or a law enforcement agency in Canada to aid in an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result [s. 42(g)].

CHILD AND FAMILY SERVICES ACT (CFSA)

The local Police/school board protocol must clearly articulate the overall duty, under subsection 72(1) of the CFSA, to report to a children’s aid society for those children who are suspected to be in need of protection. The duty to report of persons “who perform professional or official duties with respect to children”, including teachers and Principals, should be emphasized.

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

GENERAL

Where a Principal has a reasonable basis to believe that a student has committed a criminal offence or is likely to commit a criminal offence, the Principal will normally be expected to report the incident to the Police, in accordance with relevant Board and Ministry of Education Policies and Procedures, taking into consideration the safety of any person.

PROVINCIAL OFFENCES ACT (POA)

In cases covered by the *Provincial Offences Act* (POA) (provincial offences such as trespass and careless driving, committed or allegedly committed by students between the ages of 12-15 inclusive), no person shall publish by any means a report of an offence committed or alleged to have been committed by a young person, or of a hearing, adjudication, sentence or appeal concerning a young person, in which the name of, or any information serving to identify, the young person is disclosed (s.99(1)).

There is no provision in the POA allowing Police dissemination of information relating to provincial offences to school personnel. Accordingly, the Police Service is generally unable to disclose to the School Board records or information pertaining to offences under the POA, and neither the School Board nor the Police Service are entitled to publish any information pertaining to the young person who has committed or allegedly committed a provincial offence.

However:

- (a) Section 99(1) does not prohibit the publishing of information by a Police officer for the purpose of investigating an offence which the young person is suspected of having committed, nor the disclosure of information in the course of the administration of justice, but not for the purpose of making the information known in the community [s.99(3)], and
- (b) The POA is subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, which allow a School Board to share information with a Police Service relating to provincial offences for law enforcement purposes (see below).

EDUCATION ACT

Under the *Education Act*, and in accordance with the Regulations and the Guidelines issued by the Ministry of Education, a Principal is responsible for collecting information for inclusion in a student's record. The Ontario Student Record ("OSR") contains information such as transcripts, report cards and photographs. Subsection 266(2) of the *Education Act* states that the Ontario Student Record (OSR) will not be produced in the course of any legal proceedings. There may be occasions, however, when access to the OSR of current students or former students will be sought by the Police during an investigation or for court purposes.

DISCLOSURE DURING COURT PROCEEDINGS

(a) Civil Suits

A Principal may be served with a summons requiring attendance in court on a particular date with part or all of an OSR. If a Principal receives a summons, he or she must comply with it, but should obtain legal advice from the Board's legal counsel about the issues outlined above.

As a general rule, the Principal should go to court with both the original OSR and a complete and exact photocopy of it, and should propose to the Judge that the photocopy be

submitted instead of the original. The Principal should also inform the Judge that the summons is inconsistent with ss.266 (2) of the *Education Act*. The Principal must, however, relinquish the documents if ordered to do so by the Judge.

(b) Criminal Cases

If a Principal is served with a subpoena requiring his or her appearance at court with the OSR, he or she is obliged to comply with the subpoena. The Principal should obtain legal advice from the Board's legal counsel about any relevant issues prior to going to court. Since the Criminal Code is federal legislation, it takes precedence over Provincial and Municipal legislation. Therefore the Criminal Code takes precedence over OSR regulations which are Provincial. However, the Principal should inform the Judge that the use of any part(s) of the OSR as evidence in court proceedings is inconsistent with ss.266(2) of the *Education Act*. The Principal should also present the Judge with both the original OSR and a complete and exact photocopy of it, and should propose that the photocopy be submitted instead of the original.

(c) Cases Under the *Child and Family Services Act*

Under the *Child and Family Services Act*, R.S.O. 1990, c. C.11, it is possible for a court to order a Principal to produce a student's OSR for inspection and copying. A court may make such an order if it is satisfied that:

- a record contains information that may be relevant to a consideration of whether a child is suffering abuse or likely to suffer abuse, and
- the person in control of the record has refused to permit a Children's Aid Society director to inspect it. If a Principal receives a court order under the *Child and Family Services Act*, he or she should seek Board/legal advice about how to comply with it.

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (MFIPPA)

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) applies to the disclosure of records in the possession of both the Police Service and the School Boards.

MFIPPA does not take precedence over the YCJA. Accordingly, disclosure of any information relating to an offence under the YCJA must comply with the provisions of the YCJA. MFIPPA will govern the disclosure of records maintained by the School Board and by the Police Service which relate to:

- students between the ages of 12-17 inclusive which do not pertain to an offence under the YCJA; and
- students under the age of 12 or over the age of 18.

Despite the restrictions contained in the *Education Act* personal information, whether or not contained in the OSR, is subject to MFIPPA. This Act expressly permits a School Board to disclose confidential information to the Police to aid in an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result. This section can be relied upon by School Boards to provide to Police information required during the course of law enforcement investigations.

MFIPPA does not authorize Police Services to disclose information to School Boards except in the rare circumstance where there are “compelling circumstances” affecting the health and safety of an individual. The Chief of the Police Service or designate will be required to authorize such a disclosure.

CHILD IN NEED OF PROTECTION REPORTING RESPONSIBILITIES (REFERENCE CHILD AND FAMILY SERVICES ACT (CFSA))

It is the responsibility of any person who has the reasonable grounds to suspect that a child is or may be a child “in need of protection”, to report this to a Children’s Aid Society. The *Child and Family Services Act* (CFSA) obligates professionals working with children, including Police officers and teachers/Principals, to report to the appropriate Children’s Aid Society where they have reasonable grounds to suspect that a child is or may be a “child in need of protection”. The suspicion, and the information on, which is it based, must be included in the report. (Reference: s.72) The obligation is continuing. A person with additional suspicions that a child may be “in need of protection” shall make a further report, even if the person has made previous reports with respect to the same child. The definition of a child in need of protection can be found in the *Child and Family Services Act*.

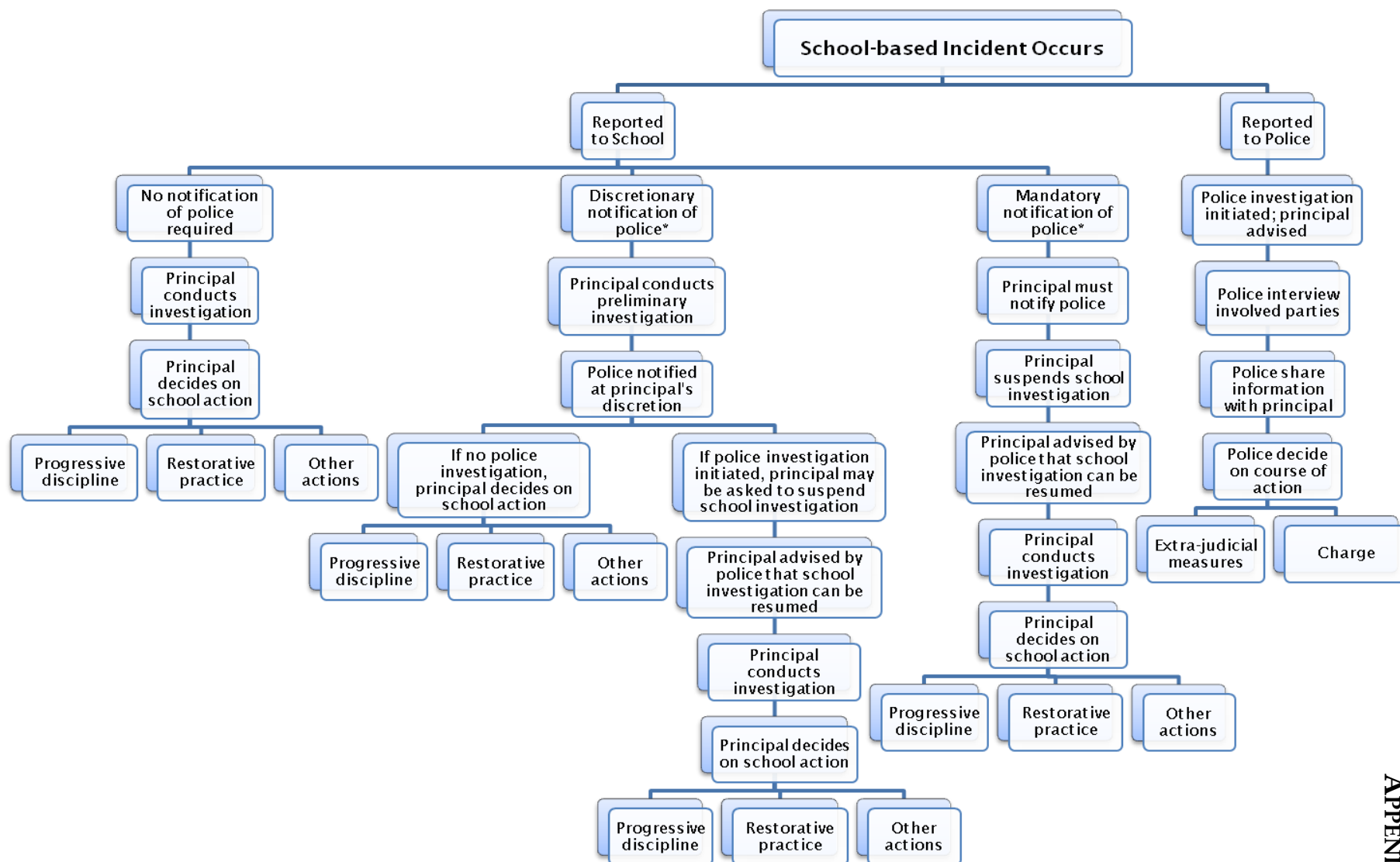
Principals, teachers **and** Police officers shall promptly take appropriate action to document and report to the Children’s Aid Society any case of suspected child abuse, in accordance with applicable internal Police Service/School Board policies and procedures. Information disclosure will occur in a manner which takes into account the situation of any child involved, in order to ensure that appropriate measures are taken to protect that child from further harm and/or repercussions as a result of the report.

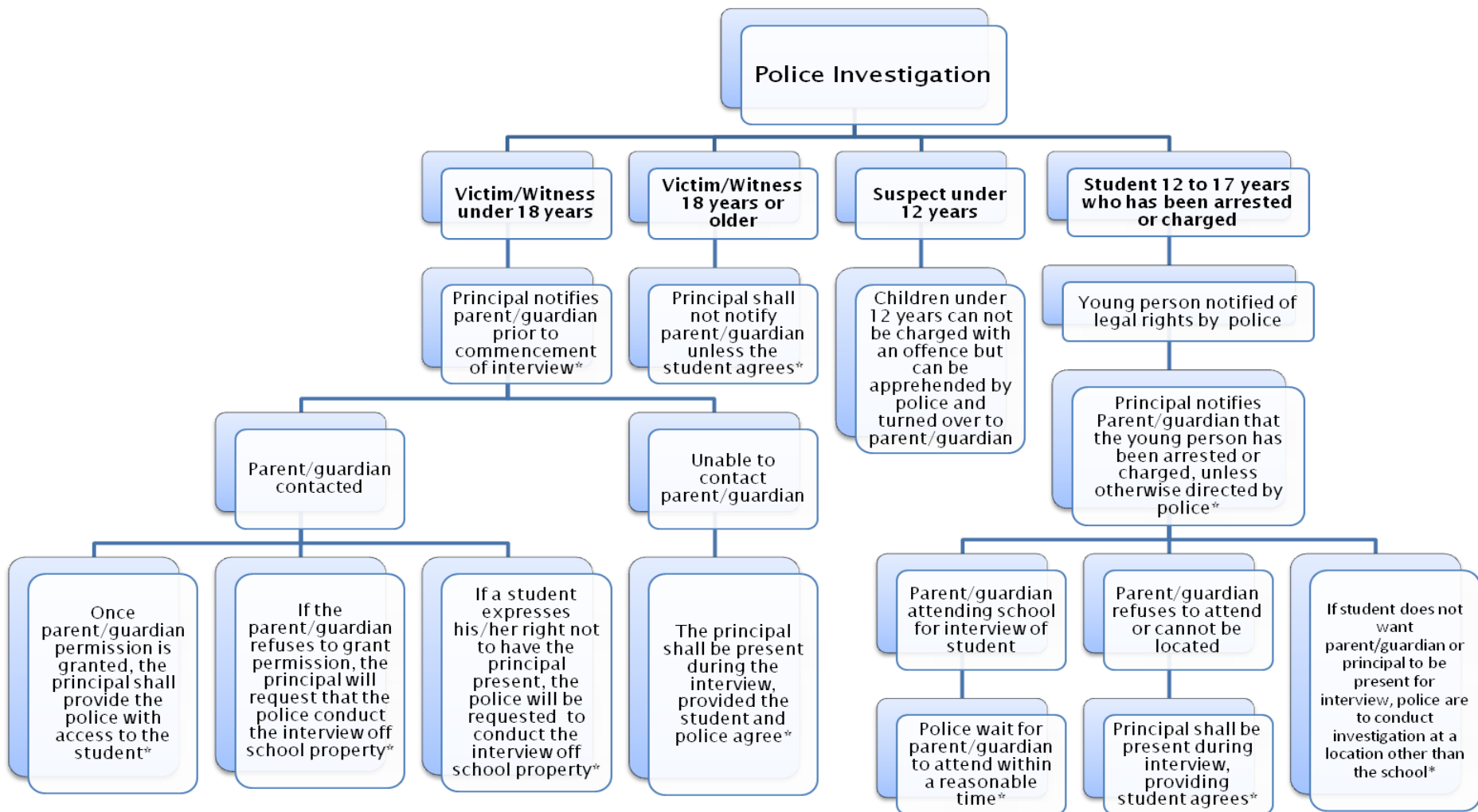
The professional duty to report child abuse overrides the provisions of any other provincial statute, including those provisions which would otherwise prohibit disclosure by the professional. The CFSA does not override the YCJA. The YCJA provides that a Youth Justice Court may at any stage of proceedings against a young person, refer the young person to a child welfare agency for assessment to determine whether the young person is in need of child welfare services. (s.35)

Detailed information as to reporting in cases of child abuse is contained in each of the School Boards child abuse reporting protocols and in the Hamilton Police Service Child Abuse Reporting Protocol, all of which have been established in conjunction with the local Children’s Aid Societies.

There is a Protocol for Co-ordination of Child Abuse Investigations between the Catholic Children’s Aid Society of Hamilton, the Children’s Aid Society of Hamilton, the Ministry of the Attorney General, Crown Attorney and the Hamilton Police Service.

PARALLEL INVESTIGATIVE FLOWCHART





RISK AND THREAT ASSESSMENT SERVICES

School Boards may be able to provide some individual assessments for students requiring a general risk evaluation through the Board's psychological and social work support services.

The Police Service Community Services Officers, divisional Youth Officers, School Resource Officers, special assignment task force Officers and uniformed Officers may be able to provide generally, non-specific situational assistance to assess risk/threat. These limited services may be accessed by principals.

The School boards and the Police Service have established a liaison committee to share issues, identify trends, develop solutions, and provide direction on matters of mutual interest.

In addition, there are a number of community agencies and services which may be accessed by school staff to provide risk/threat assessments including, but not limited to EPT (Emergency Psychiatric Team), Contact Hamilton, Child & Adolescent Services, Chedoke Child & Family Centre, and family doctors. These services can also be accessed directly by parents.

The School Boards, as part of their hiring practices, require applicants to undergo a Criminal Background Screening, which is conducted by the Police Service in accordance with governing legislation and standards. All Board staff had Criminal Background checks conducted 2003 and an Offence Declaration is submitted on an annual basis.



STRATEGIC POLICE EMERGENCY ACTION RESPONSE (SPEAR)

SCHOOL DATA

Updated: _____

SCHOOL BOARD: HWDSB HWCDSB CSDCSO CSDCCS PRIVATE

SCHOOL NAME:

SCHOOL ADDRESS:

CITY:

PATROL ZONE: Div1 Div 2 Div 3 BEAT _____

PHONE:

FAX:

GRADES:

SCHOOL HOURS:

REPEAT DESIGN TO:

AFTER HOURS EMERGENCY CONTACT NUMBER: _____

PRINCIPAL		DIRECT LINE	
VICE PRINCIPAL		DIRECT LINE	
VICE PRINCIPAL		DIRECT LINE	

CHILD CARE FACILITY YES NO

EMERGENCY CONTACT FOR CHILD CARE FACILITY

NAME		ON SITE PHONE	
		HEAD OFFICE PHONE	

NUMBER OF STAFF _____ NUMBER OF STUDENTS _____

PHYSICALLY OR DEVELOPMENTALLY CHALLENGED STUDENTS or STAFF _____

OF FLOORS _____ # OF PORTABLES _____ # OF CLASSROOMS _____

AUDIO/INTERCOM LOCATION			
INSTRUCTIONS FOR USE			
LOCKDOWN BELL ACTIVATION INSTRUCTIONS FOR USE			
LOCKDOWN BELL DEACTIVATION INSTRUCTIONS FOR USE			
VIDEO CAMERA LOCATIONS <input type="checkbox"/> No Camera's	1	2	3
	4	5	6
	7	8	9
	10	11	12
	13	14	15
	16	17	18
	19	20	21
	22	23	24
VIDEO MONITORING LOCATION			
FIRE ALARM PANEL LOCATIONS			
FIRE ALARM SHUTOFF INSTRUCTIONS			
ANNUNCIATOR PANEL LOCATION			

GAS SHUTOFF LOCATION	
GAS SHUTOFF INSTRUCTIONS	
ELECTRICAL ROOM LOCATION	
ELECTRICAL SHUTOFF INSTRUCTIONS	
BOILER ROOM LOCATION	
MAIN TELEPHONE PANEL LOCATION	
ROOF ACCESS LOCATIONS	
ELEVATOR LOCATIONS <input type="checkbox"/> No Elevator	

EMERGENCY POWER

EMERGENCY LIGHTING BATTERY PACKS EMERGENCY POWER SYSTEM

PROVIDES POWER TO WHAT PORTIONS OF THE BUILDING

LOCATION OF DIESEL GENERATOR

ON SITE HAZARDS