



ADMINISTRATIVE PROCEDURE	
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<i>Contact Person/Department</i> Superintendent of Special Education and Safe Schools	<i>Identification</i> HR – 4520

RESPONDING TO STUDENT VIOLENCE TOWARDS STAFF

1.0 PURPOSE

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

The purpose of this procedure is to provide schools with direction in dealing with situations in which the violent behaviour of a student has resulted in significant injury to a board employee.

It is recognized that enhanced measures for students, staff, volunteers and the general public may be required while delivering special education services, and to manage any other violent or aggressive student behaviour that could affect the safety of others.

It must be recognized that some students with special needs may at times exhibit some aspects of the behaviours that may be considered violent as part of the nature of their exceptionality. As well, the behaviours when they occur are not necessarily intended to harm others, and take place due to limited control over their actions, or changes in their environment that can adversely affect them.

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

2.0 REFERENCES/RELATED DOCUMENTS

Under the Occupational Health and Safety Act, and applicable regulations, TLDSB is required to take every precaution reasonable for the protection of a worker. Under Regulation 857, the Principal and Vice Principal are supervisors, and are therefore responsible for taking reasonable precautions when dealing with the violent behavior of students with behavioural challenges in our schools.

Under the Education Act, Part 13, Behaviour, Discipline, and Safety, the Principal has a duty to ensure that a student's behaviour does not affect the safety of staff, students, and others. In exercising this duty, the Principal or Vice Principal may exclude a student pending a review of safety precautions.

TLDSB Policy OP-6020 Code of Conduct outlines the expectations for ensuring a safe environment, student behaviour expectations, and consequences for student failure to meet these expectations. The policy also states that 'Safe and caring learning environments are not achieved through a single emphasis on disciplining inappropriate behaviours. It is the responsibility of all staff to build a supportive learning environment through appropriate interaction between all members of the school community. (4.3)

3.0 TERMS AND DEFINITIONS

A violent activity is characterized by:

“verbal, physical or written threats, annoyance, molestation or harassment; actual or threatened use of physical force; may have underlying emotional, sexual or racial bias which has or might have the effect of endangering the health and welfare of students or staff members; actual or threatened use of physical force or actual or threatened use of a weapon which has the effect of endangering students or staff members.” Policy OP 6021 Code of Conduct contains further detailed information about definitions and responses towards students for violent or aggressive behaviour.

TLDSB procedure – OP-6550 Safe Schools: “Physical Intervention Guidelines for Responding to Injurious and Self Injurious Behaviour of Students” provides guidelines for preparing in advance for anticipated or unanticipated student violence and for the use of physical intervention for responding to injurious and self injurious behaviour of students.

4.0 ADMINISTRATIVE PROCEDURE

4.1 BACKGROUND

Principals, Vice Principals, regular education and special education teachers, educational assistants, and district student services staff deliver instructional services to students with special needs. As well, secretaries and custodians are also involved in supporting students.

Unfortunately, incidents involving injury to staff do sometimes occur in schools. On occasion, violent behaviour may be directed toward staff members resulting in significant physical or emotional trauma to the board employee.

TLDSB will take all reasonable precautions to ensure the safety of staff and students for anticipated and unanticipated acts that result in physical or emotional harm to staff due to student behaviour.

TLDSB is committed to working with staff and students to plan proactively to minimize occurrences of injury, and to respond effectively when unsafe situations arise.

4.2 RESPONSIBILITIES

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

It is the responsibility of the Superintendent of Special Education and the District Principal of Special Education to oversee program adjustments and staff or resource needs that may be required to balance safety and learning needs of students with special needs

It is the responsibility of the Human Resources Administrator to assist with procedures for employee support, deployment, and response to concerns.

It is the responsibility of the Superintendent of Business to provide approval and advice to implement this procedure, and to communicate with the Ministry of Labour, Ontario School Boards' Insurance Exchange, or the Joint Health and Safety Committee where appropriate.

It is the responsibility of the Principal to respond to concerns about staff or student safety, to investigate and develop follow up plans regarding incidents, and to communicate this procedure to staff.

It is the responsibility of TLDSB staff to report safety concerns (Safety Concern Form) to the principal and the site safety representative.

It is the responsibility of all staff to follow instructions for safety procedures in the school, to engage in training as directed by the Principal, to follow procedures outlined in student Individual Education Plans and Safety Plans for students with special needs.

It is the responsibility of the Joint Health and Safety Committee to monitor and review concerns regarding the elements of the procedure

4.3 GENERAL PROCEDURES TO PREVENT OCCURRENCES OF VIOLENCE TOWARDS STAFF

Wherever possible, preventative planning must take place to be prepared for situations where violence may occur. This includes:

- Whenever possible - the identification of students with a strong potential for violent behavior.
- The development of plans to prevent such occurrences of violent behaviour – (i.e. individual student Safety Plans or school-wide safety plans).

TLDSB procedure - OP 6550 Safe Schools: Physical Intervention Guidelines for Responding to Injurious and Self Injurious Behaviour of Students provides guidelines for preparing in advance for anticipated or unanticipated student violence. The Safety Plan template is located in OP-6550.

How consequences are applied may be modified to meet the exceptional needs of some students. Responses, however, will be consistent with the policies and procedures of TLDSB and legislation found in the Education Act and Regulations, Ontario Human Rights Commission, Occupational Health and Safety Act, Child and Family Services Act, and Criminal Code of Canada.

The following information outlines areas in this process of prevention of occurrences of violence against staff:

- i. It is an expectation that all individuals including students will take an active role in preventing violence;
- ii. Staff will work with students and parents to maintain safe schools;
- iii. At the initiation of the principal, an individualized Safety Plan will be developed for a student whose behaviour is known to pose ongoing risk to students, staff or others. This knowledge would be obtained through the Board's high needs entry process for students who are new to TLDSB and/or by information brought to the attention of the school problem solving team;
- iv. Teachers will participate in the development of the Safety Plan and will gather input from educational assistants and other staff as appropriate. Teachers and educational assistants will receive copies of safety plans for those students with whom they directly work;
- v. The Safety Plan will be discussed with the parents and the appropriate staff, and its resultant expectations and modifications will be documented and reviewed as necessary, but at least annually;
- vi. This review of the Safety Plan will be used to identify and facilitate staff training and orientation appropriate for staff assigned to that student;

- vii. The principal is responsible for informing all staff, including supply staff, of existing or new Safety Plans. (i.e. dedicated staff meeting time in September);
- viii. In case of a student transfer to a new school within the Board, Principals are responsible for ensuring that Safety Plans are brought to the new school's attention.

4.4 STAFF TRAINING

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

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

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

- Behaviour Management Systems Training: one day course
- Behaviour Management Systems Training Videos: Physical Techniques
- The Aggressive Student: Safe Interventions; manual
- TLDSB Physical Intervention Procedures; e-learning course and manual
- BMST Recertification Course: offered annually, 3 hours
- Advanced Level of Physical Intervention Training; one day course for staff or students whose Safety Plans cite the need for physical intervention.

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

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

An annual training plan outlining the available training for individual staff groups will be prepared for the system by the Special Education and Student Services Department.

4.5 SPECIFIC INCIDENT PROCEDURES TO ADDRESS INJURY OR ASSAULT TO A STAFF MEMBER

The following guidelines are intended to support school staff in dealing with a violent or aggressive behavioural situation involving the injury or assault of a staff member that results from challenging student behaviour. See summary checklist – Appendix A

4.5.1 IMMEDIATE ACTIONS

Employees will immediately report to the principal:

- i. an assault or a serious threat;
- ii. any situation in which an employee requires medical, emotional, or other assistance.

The Principal or designate will conduct a preliminary Investigation to assess the seriousness of the incident and immediate responses needed.

It is the responsibility of all staff to ensure that the safety and physical well-being of the student(s) and employee(s) involved are attended to immediately.

The Principal or designate will ensure that all persons involved are safely and securely situated and will determine whether any person is in need of emergency first aid, emotional, or other immediate assistance.

The appropriate superintendent will be notified as soon as possible for any serious incident.

The Parent/guardian of the student (if the student is under 18) should be notified.

The Principal will make a determination of whether the student should be excluded from school pending the completion of the investigation and follow up measures. This decision will be communicated to the parents.

The emergency contact/ family member of the employee may be notified depending on the seriousness of the incident and employee wishes.

The Principal will make a determination regarding police involvement. In circumstances where the Principal has chosen not to involve the police, the affected employee will be informed of their right to notify the police.

If the worker feels that the situation endangers their health or safety, and indicates a refusal to work due to this concern, the “Protocol for Refusal to Work” agreed upon through the Joint Health and Safety Committee will be followed. The Superintendent of Business should be advised as soon as possible if a work refusal is initiated.

4.5.2 FOLLOW UP ACTIONS

Investigation:

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

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

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

Documentation:

If an employee is injured or ill as a result of the incident, an Employee Workplace Incident/Accident/Illness Reporting Form must be used to document the circumstances relating to the injury. TLDSB Administrative Procedure: BU–3555 - Incident/Accident/Injury Reporting and Investigation Procedure outlines the requirements for notification and investigation of the incident.

Additional Support:

The school principal may arrange other support of the student(s) and the staff as determined in consultation with TLDSB staff (Superintendent, Administrator of Special Education, Human Resources Manager, Behaviour Consultant, Area Special Education Consultant, and Student Services Counselor). This support may be required to meet:

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

Prevention of Recurrence:

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

Short term and long term responses may include:

- i. Review of the IEP and/or Safety Plan, with revisions as needed;
- ii. Environmental modifications;
- iii. Changes in work procedures;
- iv. Additional staff training;
- v. Personal protective equipment;
- vi. Counseling, timeout, suspension and/or expulsion;
- vii. Modified school attendance;
- viii. Reconvene the IPRC to review the appropriateness of the placement including alternate placement;
- ix. Police intervention or CAS intervention;
- x. Other appropriate intervention(s).

Student Re-entry Plan:

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

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

Written communication should be sent to the parent once the status of the student has been determined in the immediate action phase (4.5.1). This notification would generally consist of one of the following:

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

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

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

4.5.3 MONITORING

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

The following steps will be taken annually to monitor the area of employee injury due to student behaviour:

- i. As per TLDSB Procedure BU-3555 - Incident /Accident/Injury Reporting and Investigation Procedure, the Employee Workplace Incident/Accident/Illness Reporting Forms will be forwarded to the Human Resources Department;
- ii. Incidents which are deemed to be the result of violent student behaviour are forwarded to the Superintendent of Special Education;
- iii. Data from these reports will be analyzed to look for trends, and make recommendations for responses to incidents to reduce the level of violent behaviour incidents towards staff. This information will be additionally reported to the Human Resources Administrator. An annual report will be provided to the Joint Health and Safety Committee;
- iv. The Superintendent of Special Education/Student Services and Human Resources Administrator will present to Executive Council regular reports identifying violent behaviour and injury trends with recommendations to reduce the level of violent behaviour;
- v. The Joint Health and Safety Committee will monitor the implementation of this procedure and make the necessary recommendations to the employer.

5.0 APPENDICES

Appendix A – Checklist: In the Event of any Student Violence Toward Staff

IN THE EVENT OF ANY STUDENT VIOLENCE TOWARD STAFF

	Principal	Employee
IMMEDIATE RESPONSE		
Immediate report of violence to principal.		√
Preliminary investigation to assess seriousness and what immediate action is needed.	√	
Security of situation stabilized.		
<ul style="list-style-type: none"> ○ Ensure all persons involved are safely and securely situated ○ Determine the need for emergency first aid, emotional or other assistance 	√	
Emergency contacts made if situation is urgent.		
<ul style="list-style-type: none"> ○ Parent/Guardian of under 18 aged students ○ Employee's emergency contact if employee requests ○ Police if need is determined by principal ○ Superintendent 	√	
<i>(If critical injury has occurred, see Policy BU-3555)</i>		

<p>FOLLOW-UP ACTIONS</p> <p>Temporary student exclusion decision.</p> <ul style="list-style-type: none"> ○ Determination made if temporary exclusion from school necessary pending completion of investigation and follow-up. Decision communicated to parent <p>Investigation of incident</p> <ul style="list-style-type: none"> ○ Witness interviews, examination of incident site, medical treatment details ○ Review of current work practices and student responses to those ○ Current IEP and Safety Plan if applicable <p>Additional temporary support decision</p> <ul style="list-style-type: none"> ○ Physical needs (medical, recuperation, limited work assignment) ○ Emotional needs (counselling) ○ Risk management needs (protective equipment, additional staff, training) <p>Disciplinary response</p> <ul style="list-style-type: none"> ○ Legislation considerations ○ TLDSB Code of Conduct considerations <p>Documentation</p> <ul style="list-style-type: none"> ○ Employee injury. BU – 3555 ○ Physical Intervention report ○ Protocol for Refusal to Work in situations where situation endangers their health or safety. Superintendent of Business notified. <p>Prevention of recurrence planning (short and long term)</p> <ul style="list-style-type: none"> ○ Creation or revision of Safety Plan. Communication to all involved. ○ Determination of staff training or protective equipment needs ○ Review of IPRC placement, need for modified attendance ○ Planning with community partners <p>Student re-entry plan</p> <ul style="list-style-type: none"> ○ Determination of timing of return to school. ○ Plan for minimizing recurrence. 	<p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p>	<p>√</p>
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