

*Reporting and  
Responding  
to Incidents*

# A Resource for Board Employees

**A** safe and accepting learning environment is essential for student achievement and well-being.

Everyone – staff, students, teachers, parents,<sup>1</sup> and community members – has a role to play in promoting a positive school climate and making schools safe and accepting.

This resource provides information on how school board employees must handle student incidents that occur at school, at school-related activities or in any other circumstances where the student's behaviour can have a negative impact on the school climate. Our ongoing efforts to make Ontario's schools safe and accepting for students and staff require:

- all school board employees to **report** to their principal any incident that can lead to suspension or expulsion
- principals to contact the parents of students involved in these types of incidents
- staff who work directly with students to **respond** to incidents that have a negative impact on the school climate. These could include racist or sexist comments, vandalism – incidents that are unacceptable in our schools, as well as incidents that can lead to suspension or expulsion.

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1. In this document, parent(s) refers to parent(s) and guardian(s) as used in the *Education Act*. It may also be taken to include caregivers or close family members who are responsible for raising the child.

## RESPONDING

### Responding to Incidents

All staff who work **directly** with students must respond to incidents that can have a negative impact on the school climate. This includes principals and vice principals, teachers, educational assistants, early childhood educators and other school staff employed by the board, such as those involved in social work, child and youth work, psychology and other related disciplines. In the course of a day, there are many “teachable moments” when issues may arise. Prompt intervention with a few moments of coaching and support can help all children and youth develop healthy relationships and prevent small issues from turning into larger ones.

When responding to an incident that involves a student with special education needs, staff are expected to respond in a way that takes into account information in the student’s Individual Education Plan.

### How will staff respond?

Responding may include:

- identifying the inappropriate behaviour
- asking the student to stop the inappropriate behaviour
- explaining why it is inappropriate or disrespectful
- asking the student to change their behaviour in future.

### What behaviour is not allowed?

We can all help make it clear what behaviour is unacceptable and create an environment in our schools where students feel welcome.

Examples of inappropriate and disrespectful behaviour include racist, sexual, sexist or homophobic comments, slurs and jokes or

graffiti, as well as those activities and behaviours outlined on page 3 that can lead to suspension or expulsion.

### Must staff always respond?

Staff must respond to all incidents, unless doing so would cause immediate physical harm to themselves, a student or any other person. In these cases staff are expected to report the incident to the principal as soon as it is safe to do so.

### Supporting All Students

Schools must provide supports for all students who were affected by or have engaged in serious student incidents and all inappropriate behaviour.

For students who have been bullied, who have engaged in bullying and who have witnessed bullying, schools must provide programs, interventions or other supports.

School staff who work directly with students are required to support all students, including those who wish to discuss healthy relationships, gender identity and sexuality. They are expected to provide contact information about professional supports – such as public health units, child and youth workers, mental health workers, help phone lines – or other community agencies that offer the appropriate type of confidential support. This could include, for example, a sexual assault centre, Kids Help Phone (1-800-668-6868) or the Lesbian Gay Bi Trans Youth Line (1-800-268-9688).

School boards are required to support students who want to form groups at their school to raise awareness and understanding of all students on topics such as anti-racism; people with disabilities; gender equity; sexual orientation, gender identity and gender expression. These groups may include Gay-Straight Alliances (GSAs).

School boards and principals cannot prevent students from using the name GSA or another name the students may choose for these groups.

## REPORTING

### What types of incidents must be reported?

The behaviours listed below can lead to suspension or expulsion. They must be reported when they occur at school, at school-related activities or in any other circumstances where the student's behaviour could have an impact on the school climate.

Student behaviours that can lead to *suspension* include:

- uttering a threat to inflict serious bodily harm on another person
- possessing alcohol, cannabis (unless the student is authorized to use cannabis for medical purposes), or illegal drugs
- being under the influence of alcohol or cannabis (unless the student is authorized to use cannabis for medical purposes)
- swearing at a teacher or at any person in a position of authority
- committing an act of vandalism that causes extensive damage to school property at the student's school or to property on school premises
- bullying, including cyber-bullying
- any other activities identified in school board policy (you can ask the principal what these are).

Student behaviours that can lead to *expulsion* include:

- possessing a weapon, including a firearm
- using a weapon to cause or to threaten bodily harm to another person

- committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- committing sexual assault
- trafficking in weapons or in illegal drugs
- committing robbery
- giving alcohol or cannabis to a minor
- bullying (under certain circumstances). For example, if a student has previously been suspended for engaging in bullying
- any activity for which a student can be suspended (see above) that is motivated by bias, prejudice or hate
- any other activities identified in school board policy.

### Who has to report an incident?

All school board employees are required to report in writing to their principal any incident that must be considered for suspension or expulsion. Board employees include:

- principals and vice principals
- administrative and custodial staff
- teachers and educational assistants
- early childhood educators employed by the board
- non-teaching staff, such as those involved in social work, child and youth work, psychology\* and other related disciplines
- staff in before- and/or after-school programs for children in Kindergarten to Grade 6 that are operated by school boards
- staff in before- and/or after-school programs for children in Kindergarten to Grade 6 operated by community organizations and child care centres which have entered into an agreement with the school board to provide such programming
- school bus drivers.

\* **Social workers and psychologists** who have a clinical relationship with a student must report incidents which could lead to the student being suspended or expelled to the principal as soon as it is, in their professional opinion, reasonably possible to do so without having a negative impact on their clinical relationship with the student. As well, they must report incidents or behaviours that could result in the student doing physical, emotional or psychological harm to themselves or to others consistent with their code of ethics and standards of practice.

### **If a student asks a teacher or other staff member not to tell anyone about an incident, does that board employee still have to report it to the principal?**

If it is an incident that could lead to suspension or expulsion and it happened at school, at any school-related event, or in any other circumstances where the student's behaviour has a negative impact on the school climate, then the teacher or any other staff member must report it to the principal. Psychologists and social workers only are given some flexibility as to when to report to the principal, according to the code of ethics and the standards of practice of their respective professions, so they can preserve their clinical relationship with the students. If the incident occurred off school property and not at a school event, and will not have an impact on the school climate, the teacher or other staff can direct the student to a community agency, such as Kids Help Phone at 1-800-668-6868, which provides a 24/7/365 confidential counselling service.

### **Are teachers required to report incidents that happen off school property?**

If a teacher or any other school board employee learns of an incident that will have a negative

impact on school climate and could lead to a student being suspended or expelled, it must be reported.

### **What happens when an incident is reported to the principal?**

Any incidents reported to the principal will be investigated.

The principal determines what disciplinary action, if any, is required. Through progressive discipline, the principal will determine appropriate consequences and supports to help students improve their behaviour, while taking into account their individual circumstances. The principal will inform the parents of the student who engaged in the incident. If another student was harmed, their parents will also be informed.

The principal will communicate the results of their investigation with the teacher and other school board employee (where it is appropriate) who reported the incident, and will only disclose that information that is necessary to communicate the results of the investigation.

### **What information is shared with parents of the student who engaged in the incident?**

The principal must tell parents about:

- the incident
- the nature of the harm to the other student
- any disciplinary measures taken in response to the incident
- the supports that will be provided for their child in response to the incident.

The principal cannot name or provide any identifying information about the student who was harmed in the incident.

## What information is shared with parents of the student who was harmed?

The principal must tell parents about:

- the incident
- the harm to their child
- what steps were taken to protect their child's safety, including any disciplinary measures taken in response to the incident
- the supports that will be provided for their child in response to the incident.

The principal cannot name or provide any other personal information (e.g., referral to counselling), about the student who has engaged in the incident.

*In both cases*, principals must invite the parents to have a discussion about the supports that will be provided for their child.

## Does the principal always call the parents?

There are exceptions. A principal is not permitted to call the parents of either student if:

- the student is 18 years old or older or is a 16- or 17-year-old student who has withdrawn from parental control or
- the principal believes that telling the parent(s) would put the student at risk of harm from the parent(s). In this situation, the principal must notify the appropriate Superintendent.

## What if the incident leads to suspension?

If the incident leads to a suspension, the principal will make an effort to inform the parents of the student who engaged in the incident (unless the student is 18 years old or older), within 24 hours of the incident. Parents also receive written notice telling them the reason for and duration of the suspension and outlining the

appeal process. If the suspension is for more than five school days, the principal will provide information about a program to support the student.

## Who else must the principal call?

Depending on the incident, police may be called. Principals must follow their local police/school board protocols when involving police.

When school board employees believe that a student may be in need of protection, they must continue to follow the usual procedure and call the children's aid society as required by the *Child, Youth and Family Services Act*.

## What happens if an incident is not reported?

If a principal learns that any member of the school staff has not reported an incident that could lead to a student being suspended or expelled, the matter should be dealt with as a human resource issue, consistent with school board human resources policies and collective agreements.

As well, all staff who hold teaching certificates, including teachers, principals and superintendents, are governed by the *Ontario College of Teachers Act (OCTA)*, and regulations. Regulation 437/97, Professional Misconduct, under the OCTA lists those activities that are considered to be professional misconduct.

### LEARN MORE

Contact your school principal.

Visit your school board website.

For information on making Ontario's schools safe and accepting, and bullying prevention, visit [ontario.ca/safeschools](http://ontario.ca/safeschools).