



MANDATORY REPORTING OF SERIOUS INCIDENTS

Responsibility:	<i>Superintendent, Student Achievement & Well-Being</i>
Legal References:	<i>Youth Criminal Justice Act; The Criminal Code of Canada Bill 157 – Keeping Our Kids Safe at School YCJA: Bill 157</i>
Related References:	PPM 9 – Reporting of Children in Need of Protection; PPM 120 – Reporting Violent Incidents to the Ministry of Education; <i>Police School Board Protocol; Protocol and Guidelines for Reporting a Child in Need of Protection ; Appendix A: Record of Reporting a Suspected Child in Need of Protection AP 1215 - Code-Based Human Rights Complaint Resolution Process for Non-Staff</i>
Effective Date:	<i>March 2016</i>
Revisions:	<i>March 2016, May 2024</i>
Reviewed:	<i>March 2016, May 2024</i>

1. Preamble

The following procedures provide guidelines and expectations regarding violence-free schools and non-tolerance of violence, the mandatory reporting of serious school related incidents to police, serious incidents occurring off school property, and parent/guardian involvement following a serious incident. It also provides expectations around the reporting of specific violent incidents to the Ministry of Education.

2. Policies of Violence-Free Schools and Non-Tolerance

2.1 A protocol exists between the Waterloo Region District School Board (WRDSB) and Waterloo Regional Police Services (WRPS). The protocol provides specific expectations and procedures related to when schools will contact police and when the police will respond. The following information is provided as a summary of the protocol.

2.2 [Occurrences requiring mandatory police involvement or response include:](#)

Required Reporting - Immediate

- 2.2.1 all deaths;
- 2.2.2 physical assault causing bodily harm requiring **treatment** by a medical practitioner;
- 2.2.3 robbery;
- 2.2.4 possessing a firearm;
- 2.2.5 bomb threats;
- 2.2.6 hate and/or bias-motivated occurrences
- 2.2.7 using a weapon to cause or to threaten to cause bodily harm to another person;
- 2.2.8 Missing vulnerable child regardless of age, whose location is unknown, and where there is a degree of concern with regard to their safety or wellbeing;
- 2.2.9 trafficking in weapons or in illegal drugs;
- 2.2.10 possessing an illegal drug, cannabis (legal) in excess of 30 g or any substance that is not readily identifiable

Exception: Cannabis in possession of authorised medical cannabis user;

Required Reporting - following further consultation with Safe Schools / FOS-SO

- 2.2.11 possession of dangerous items;
- 2.2.12 criminal harassment;
- 2.2.13 extortion;

Required Reporting - Victim/survivor centred

- 2.2.14 sexual assault;
- 2.2.15 relationship-based violence;
- 2.2.16 human trafficking (18+), For <18, report to FCS;
- 2.2.17 non-consensual sharing of intimate images;
- 2.2.18 uttering a threat to cause **death** and to inflict serious bodily harm on another person, including threats made on social networking sites, or through instant messaging, text messaging, e-mail, and so on.

- 2.3 The WRDSB and WRPS agree that the following incidents may require police consultation and/or reporting:

Discretionary Reporting

- 2.3.1 giving alcohol to a minor;
- 2.3.2 being under the influence of alcohol or illegal drugs;
- 2.3.3 threats of serious physical injury, including threats made on social media, text messaging, email, and so on;
- 2.3.4 incidents of vandalism;
- 2.3.5 incidents of trespassing.

3. Mandatory Contact with Police and/or Family and Children's Services

- 3.1 If the incident is included under section 2.2, police shall be contacted.
- 3.2 If the incident is included under section 2.3:
 - 3.2.1 Police may be contacted;
 - 3.2.2 The principal shall conduct an investigation of the incident.
- 3.3 If the incident is not included under sections 2.2 or 2.3:
 - 3.3.1 The principal shall conduct the investigation;
 - 3.3.2 The principal has discretion to contact the police;
 - 3.3.3 If there is any doubt whether police involvement should take place, principals are required to consult with their respective Family of Schools Superintendent.

Occurrences Involving Students Under Age 12

When children under the age of 12 are involved, administrators are expected to use their discretion in applying the rules outlined above for reporting incidents to the police. Children under 12 cannot be charged with an offence under the Criminal Code, the 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 applying their professional discretion. Early intervention for children involved in such incidents is essential, however interventions do not necessarily involve police.

Notwithstanding a report to police, the principal is required to conduct an investigation of an incident for the purpose of informing a school intervention – for example, where a recommendation for suspension or expulsion may be required – regardless of the age of the students involved. Below are some of the required elements and considerations when responding to a school incident involving students under the age of 12:

- 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;

- Respond to students in developmentally appropriate ways, taking steps to ensure the student understands effects of their behaviours;
- 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 125 (1) of the Child and Family Services Act (e.g., when there is evidence of abuse or neglect, or the risk thereof, or when the child has committed serious acts and the child's parents/guardians are not accessing appropriate treatment); and
- The requirement to provide accommodations and/or modifications for students with special education needs, as outlined in their IEPs.

4. **Serious Violent Incidents that Occur off School Property**

4.0. The Waterloo Region District School Board expects that Principals, Vice-Principals or Principal designates will respond to serious incidents that occur off school property that impact the health and safety of students of the school or have a negative affect on school climate.

5. **Parent/Guardian Involvement**

- 5.1 When police are contacted as outlined in section 2 above, administrators will work collaboratively with police so that a potential police investigation is not jeopardised.
- 5.2 Administrators will contact the parent/guardian, unless the principal believes that the notification would put the student at risk of harm from the parent/guardian.
- 5.3 If a student who is being questioned is under 18 years of age, the principal will advise all students being questioned that their parent/guardian will be contacted and informed of the student's involvement in the incident. Whenever possible, attempts will be made by the principal to notify the parent/guardian prior to any interview by the police. Contacted parents/guardians will be notified of their child's involvement. Should a parent/guardian request that police not question their child, the principal will request that the student be questioned off school property.
- 5.4 If the student is 18 years of age, the principal shall not contact the parents/guardians without the student's consent or request for such contact or if the student is incapable of providing consent.
- 5.5 If the student is in the care of Family and Children's Services, the Child Service Worker of Family and Children's Services has legal responsibility for the student and must be contacted.
- 5.6 There may be exceptional circumstances where the parents/guardians should not be contacted. This would apply in cases where the parent/guardian is the subject of the investigation or contacting them could jeopardise a police investigation or if contacting the parent/guardian could put the student at risk of harm. In such cases, it is the responsibility of the police to apprise the principal of the reasons why notification will not occur.
- 5.7 The School Police Protocol (Section 12) should be referenced for further clarification.

6. **Mandatory Reporting of Violent Incidents to the Ministry of Education, Ontario**

All violent incidents that occur on school premises during school-run programs (which may result in suspension or expulsion or not) must be reported through the submission of a Safe Schools Incident Report, whether the incident was committed by a student of the school or whether it was committed by any other person. The specific incidents which are required to be reported to the Ministry of Education are:

- 6.1 Possessing a weapon, including possessing a firearm;
- 6.2 Physical assault causing bodily harm requiring medical attention;
- 6.3 Sexual assault;
- 6.4 Robbery;
- 6.5 Using a weapon to cause or to threaten bodily harm to another person;

6.6 Extortion;

6.7 Hate and/or bias-motivated occurrences.

Boards are required to report the total number of violent incidents on an annual basis to the Ministry of Education.