Waterloo Region District School Board

Administrative Procedure 2330

MANAGEMENT PROCESS FOR STUDENT BEHAVIOURS CAUSING A RISK-OF-INJURY

Responsibility:	*Associate Director, Business Services* *Superintendent, Student Achievement & Well-Being (Special Education)*
Legal References:	*Education Act* *Occupational Health and Safety Act* *Ontario Human Rights Code* *Child Care and Early Years Act*
Related References:	*Board Policy 1002 Occupational Health and Safety Policy* *Board Policy 1009 Violence in the Workplace* *Board Policy 1017 Human Rights* *Board Policy 6001 Code of Conduct* *Board Policy 6008 Student Discipline* *Administrative Procedure 1050 Ontario Student Record and Office Index Card* *Administrative Procedure 1100 Privacy Protection and Access to Information* *Administrative Procedure 1200 Student Bullying/Harassment* *Administrative Procedure 1210 Code Based Human Rights Complaint Resolution Procedure for Staff* *Administrative Procedure 1215 Code Based Human Rights Complaint Resolution Procedure for Non-Staff* *Administrative Procedure 1260 Student Discipline* *Administrative Procedure 2350 Exclusion Appeal Process* *Administrative Procedure 2070 Identification Placement and Review Committee Process-A Parent Guide Special Education Handbook*
Revisions:	April 2018, July 2024, August 2025
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1. Preamble

The Waterloo Region District School Board is committed to balancing a student's right to an education without discrimination as required by law, alongside the prevention of workplace violence. The WRDSB understands it is responsible for worker health and safety and as such, will ensure all steps are taken to protect workers from workplace violence in all of its forms. This procedure outlines the proactive and reactive steps that will be taken to balance worker health and safety with the human rights of students who may engage in behaviours that cause risk of injury to workers. The following procedure provides guidelines and expectations regarding the management process for student behaviours causing a risk of injury. The risk of workplace violence can be minimized or prevented by recognizing the hazards, implementing preventative measures, engaging in prompt action of reports of violence, and by keeping WRDSB staff informed of the potential for workplace violence.

2. Objectives

2.1. To provide guidelines and procedures for managing the safety issues of students when they arise.

2.2. There are students with disabilities who may engage in behaviours that could cause physical injury to themselves or others - this procedure outlines the process to safely manage such

behaviours and specifically address the safety needs of staff members who support these students.

3. Background

3.1. This document outlines a School Principal-led process, supported by the System Administrator-Special Education that is initiated (and continues on an ongoing basis) when a student presents a “risk-of-injury” (existing or probable) to staff or others. The guidelines and procedures in this document assist School Principals with meeting the safety and behavioural needs of exceptional pupils, while ensuring the safety of staff and students. Meeting these needs involves awareness, consultation and planning in collaboration with parents/caregivers, school staff, school services staff and professional agencies.

3.2. In the vast majority of cases, the Waterloo Region District School Board (WRDSB) Safe and Healthy Schools procedures and guidelines provide Principals with sufficient information with which to make decisions regarding standards of behavior for students with Special Education needs.

3.3. The WRDSB Safe and Healthy Schools policies and procedures apply to all students, including those with Special Education needs. There are a small number of students with Special Education needs who have an observed and documented pattern of injurious behaviour and who present a risk of injury to themselves and/or those who support them. For the majority of these students, well-planned accommodations and safe de-escalation and intervention strategies and an ongoing review of programs will significantly reduce or eliminate the risk-of-injury to staff. School Principals are expected to ensure a safe school environment for all while responding to the student’s right to education, without discrimination as required by law.

4. Legal References

4.1. Ontario Human Rights Code

Students with disabilities have the right to access services (education) without discrimination under the Ontario Human Rights Code. When necessary, school boards are required to provide reasonable accommodation to students with disabilities. Disability includes a broad range and degree of conditions, including physical disabilities, learning disabilities, neurocognitive/developmental disabilities and any health condition that requires individualized adjustments or supports in the learning environment that are respectful of the student's dignity to ensure their integration and full participation.

4.2. Education Act

4.2.1. The school Principal’s duty is to maintain order and discipline in the school. This provides direction for school Principal’s to make decisions with respect to safety, mitigating factors and progressive discipline. *Part XIII; s.265 (1)(a) maintain proper order and discipline in the school;*

s.265 (1)(j) – Duties of a Principal:

to give assiduous attention to the health and comfort of the pupils

4.2.2. With respect to student discipline, the School Principal is required to take into account any mitigating factors and/or other factors prescribed by the regulations. With respect to these factors, Ontario Regulation 472/07, provides that, for the purposes of suspension and expulsion, the following mitigating factors must be taken into account:

a) The pupil does not have the ability to control his or her behavior
b) The pupil does not have the ability to understand the foreseeable consequences of his or her behavior
c) The pupil’s continuing presence in the school does not create an unacceptable risk to the safety of any person

4.2.3. In addition, the following other factors must be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:

a) The pupil's history
b) Whether a progressive discipline approach has been used with the pupil
c) Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment
d) How the suspension or expulsion would affect the pupil's ongoing education.
e) The age of the pupil
f) In the case of a pupil with a disability and/or having an IEP has been developed:

- Whether the behavior was a manifestation of a disability identified in the pupil's IEP
- Whether appropriate individualized accommodation has been provided
- Whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behavior or conduct

4.2.4. Under Policy Program Memorandum (PPM) No. 145, progressive discipline is defined as a whole-school approach that utilizes a continuum of interventions, supports and consequences to address inappropriate student behavior and to build upon strategies that promote positive behaviours. When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that is both corrective and supportive. The PPM indicates that schools should utilize a range of interventions, supports and consequences that include learning opportunities for reinforcing positive behavior while helping students to make safe choices.

4.2.5. Early and ongoing intervention strategies will help prevent unsafe or inappropriate behaviours in a school and in school-related activities. Intervention strategies should provide students with appropriate supports that address inappropriate behaviour and result in an improved school climate. For example, early interventions may include contact with parents, verbal reminders, a review of expectations or an activity with a learning component.

4.2.6. The Ministry of Education states that ongoing interventions may be necessary to sustain and promote positive student behavior and/or address underlying causes or inappropriate behavior. For example, ongoing interventions may include meetings with parents, volunteer service within the school community, conflict mediation, peer mentoring or working with parent/caregivers to access community support following the WRDSB's Student Support Process.

4.2.7. In considering the most appropriate response to address inappropriate behavior, the following should be taken into consideration:

a) The particular student and circumstances (i.e., mitigating or other factors)
b) The nature and severity of the behavior
c) The impact on the school climate (i.e., the relationships within the school community) and whether programs and services need to be reviewed

4.2.8. In each individual set of circumstances, School Principals are encouraged to make use of a continuum of interventions, supports and progressive discipline approaches that are clear and developmentally appropriate.

4.2.9. The School Principal should ensure that accommodations, modifications and/or alternative program goals for students with behavioural needs are outlined in their IEP.

4.3. Related Legislation & PPMs

4.3.1. The Education Act and related regulations and Policy and PPMs emphasize the use of discretion in discipline; mitigating and other factors must always be considered for all students. This procedure acknowledges and integrates the new legislation on Safe and Secure Schools. The following list includes new legislation, regulations, and PPMs: Under the Ontario Human Rights Code, school boards are required to provide reasonable accommodation with respect to students with disabilities.

- *Education Amendment Act* (Progressive Discipline and Safe and Caring Schools), June, 2007, in force February 2008
- ONT. Regulation 474/00: Access to School Premises, under Section 305 of the *Act*
- PPM 140: Incorporating Methods of Applied Behaviour Analysis (ABA) into Programs for Students with Autism Spectrum Disorders (ASD), May, 2007
- PPM 141 and 142: Suspension and Expulsion Programs for Students (August, 2007), PR698
- PPM 144: Bullying Prevention and Intervention (October, 2007), P065
- PPM 145: Progressive Discipline and Promoting Positive Behaviour (October, 2007), P064
- PPM 128: Code of Conduct (October, 2007), P044
- School-Police Protocol
- Family and Children's Services Protocol: Reporting a Child in Need of Protection
- Bill *157*, (*Keep Our Kids Safe at School Act, 2009)*, in force February, 2010

4.4. Ontario Occupational Health and Safety Act (OHSA)

4.4.1. The Ontario Occupational Health and Safety Act requires that employers; *25(2)(h) "take every precaution reasonable in the circumstances for the protection of a worker".*

4.4.2. Reasonable precautions must be in place for staff working with students who have exhibited a risk of injury to a worker. In this context 'reasonable precautions' would include, but are not limited to:

- appropriate programming (IEP development, implementation and monitoring)
- Safety Plan/Safety Plan Summary development, including preventative measures and de-escalation strategies
- The offering of training
- and the use of Personal Protective Equipment (PPE), when required.

4.4.3. Staff Working with Students who Present a risk of injury

4.4.4. Some students may have medical, neurological and developmental disabilities that may contribute to a risk of injury to a worker and/or create safety concerns within the school environment. For most of these students, individualized programming, classroom management, preventative measures, de-escalation strategies and in some cases physical containment can significantly reduce or eliminate the risk of injury to themselves and others. Student behaviour may also be symptomatic of social, emotional, environmental, behavioural or and/or relational/familial considerations and might be relevant to the application of mitigating factors in the context of individual student behaviour. It is imperative for staff to collect student behavioural data throughout the school day to inform programming and plans for these students that inform staff of a risk of injury and protect them from a risk of injury (i.e., known student triggers). See Section 10 for Assessing Risk of Injury.

4.4.5. The OHSA includes provisions for 'workplace violence' and defines violence as:

- The **exercise of physical force** by a person **against a worker**, in a workplace, that causes or could cause physical injury to the worker

- An **attempt to exercise physical force against a worker**, in a workplace, that could cause physical injury to the worker
- A **statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker**, in a workplace, that could cause physical injury to the worker

4.4.6. The WRDSB also has 'Board Policy 1009 - Workplace Violence' and 'AP 3780 - Violence in the Workplace' to address workplace violence as required by the OHSA.

4.4.7. The Ministry of Labour, Immigration, Training, and Skills Development (MLITSD) has developed the "Workplace violence in school boards: A guide to the law" for school boards as a reference guide to the legal requirements and understandings related to workplace violence. This is accessible at every school and on the Board's Health and Safety website on the Board's staff intranet.

4.5. Criminal Code– Provides direction for individuals in positions of responsibility and their role in the safety of children.

Section 43. "Every school teacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under their care, if the force does not exceed what is reasonable under the circumstances."

4.5.1. The question of whether the force does not exceed what is reasonable and whether the contact is by way of correction will depend on the individual facts and circumstances of each case

5. Definitions

5.1. The School Based Team (ISST)

5.1.1. ISST meets on a regular basis to collaborate, consult and discuss student-specific profiles with the goal of increasing student achievement and well-being.

5.1.2. ISST conversations focus on conditions for learning that optimize student outcomes and success. These conditions include supportive relationships, safe, inclusive and caring learning environments and responsive teacher pedagogy and assessment.

5.1.3. The ISST consists of the appropriate school-based personnel, as determined by the school Principal. The delivery and monitoring of programs for students requiring ongoing behavioural strategies are supported through this team.

5.1.4. In Elementary schools, an example of the ISST membership may include:
School Principal, Vice-principal, Special Education Resource Teacher (SERT), Child and Youth Worker and/or classroom teachers

5.1.5. In Secondary schools, the ISST may include:
School Principal, Vice-principal(s) Special Education Department Head, Guidance Department Head, Student Success Teachers and Social Workers, Child and Youth Worker, and/or other teachers as indicated by the school Principal

5.1.6. In order to support the needs of students, the ISST may, through the school Principal/Vice Principal or designate, request the assistance of the Multi-Disciplinary Support Team (MDST).

5.2. Multi-Disciplinary Support Team (MDST)

5.2.1. MDST meets on a regular basis to collaborate, consult and discuss student-specific profiles with the goal of increasing student achievement and well-being.

5.2.2. MDST conversations focus on conditions for learning that optimize student outcomes and success. These conditions include supportive relationships, safe, inclusive and caring learning environments and responsive teacher pedagogy and assessment.

5.3. Internal Responsibility System (IRS):

5.3.1. The IRS means that everyone in the workplace has a role to play in keeping workplaces safe and healthy. Staff who work at WRDSB are responsible to communicate concerns and potential safety hazards to their Administrator or Supervisor, and work collaboratively to find and implement appropriate control measures. Administrators/Supervisors have a responsibility to investigate and respond to safety concerns in a timely manner.

5.4. Students with Special Education Needs

5.4.1. In the WRDSB, students with Special Education Needs include both students formally identified as exceptional pupils under the IPRC process and any non-identified pupils who may be receiving special education support (i.e. special education programs and/or services).

5.5. Special Education Services

5.5.1. Special Education Services refers to the facilities and resources, including support personnel and equipment, necessary for developing and implementing a special education program.

5.6. Professional Support Services

5.6.1. The term “Professional Support Services” refers to the following regulated professions: Speech-Language Pathology Services, Psychological Services, Social Work, Occupational Therapy and Physiotherapy Services. The staff members in these groups provide a broad range of services and depending on the Professional Support Service requested, the services could include: assessment, consultation, direct service with students, in-services, training, programming recommendations, strategies for staff working with specific students and participation in the Student Support Process. Each staff member is required to be a registered member of one of the following Professional Colleges, as appropriate:

- College of Audiologists and Speech-Language Pathologists of Ontario
- College of Psychologists and Behaviour Analysts of Ontario
- Ontario College of Social Workers and Social Service Workers
- College of Occupational Therapists of Ontario
- College of Physiotherapists of Ontario

5.7. SIP (Special Incidence Portion)

5.7.1. Students with complex high special education needs are those receiving special education programs and services, who experience ongoing, sustained challenges in several interrelated areas (e.g., medical, physical, communicational, intellectual, social-emotional, and self-regulation among others). The challenges in these areas are intense, frequent, pose a health and/or safety risk of injury to self, and/or others, and are persistent within the school and across other environments. For this reason, students who demonstrate this defined set of complex high special education needs require intensive, daily additional resources and supports. They may also be receiving intensive services from multiple sectors and/or professionals within the community. The level of support required is determined to be critical and essential, such that without it in place, it would not be possible for the student to attend school and access educational services.

5.8. Manifestation Behaviours of Specific Diagnosed Medical/Neurological/Developmental Disorders

5.8.1. Students may also have medical/neurological/developmental disorders that can have manifestation behaviour(s) that is/are a direct result (manifestation) of a diagnosed and

existing medical, neuropsychological, neurological or developmental condition (i.e., a condition is not learned and cannot be “unlearned”). The specific manifestation behaviour may be identified in a professional assessment. Such behaviours may create safety concerns within the school environment. Without adequate information and an understanding of the diagnosed disorder and its possible manifestation behaviours, school staff, classmates and parents/caregivers will often interpret the behaviour as deliberate acting out, rather than as a manifestation of symptoms of the medical disorder.

5.8.2. Responding to the behaviour as a purposeful violation of a code of conduct and applying consequences in isolation from the student’s IEP, professional assessment (when available), and Safety Plan may be considered a violation of the student’s legal right to accommodation.

5.8.3. If a diagnosis exists for a student, it is critical that the school Principal obtain (with written parental permission) all relevant information, including details of any manifestation behaviours. School Principals must ensure that an IEP and, where necessary, a Safety Plan are developed in consultation with parents, caregivers and professionals.

5.9. Self-Protection

5.9.1. Self-protection refers to acceptable protective staff responses (i.e., blocks, physical space, etc.) to injurious behaviour directed at the staff person (i.e., biting, kicking and punching) by a student.

6. Individual Education Plan (IEP)

6.1. An IEP is defined through the Ministry of Education Document: Standards for Development, Program Planning, and Implementation, Ministry of Education, 2000 as follows:

- “A written plan describing the Special Education Program and/or Services required by a particular student. It identifies learning expectations that are modified from or alternative to the expectations given in the curriculum policy document for the appropriate grade and subject or course and /or any accommodations and special education services needed to assist the student in achieving his or her learning expectations.”

6.2. For students with the possibility of behaviours that may cause risk of injury, an IEP should include:

- Program modifications and/or accommodations that support proactive strategies
- Alternative expectations addressing behaviour management that identify the behaviour/learning expectations in the areas of behaviour management, social skills and social communication
- Appropriate teaching strategies and assessment/evaluation methods

6.3. School Principals are responsible for ensuring that IEP’s, Behaviour Logs and Safety Plans are developed collaboratively by School and Board staff members and that consultation with parents/caregivers and outside agencies is included in the process when appropriate.

7. Parent/Caregiver Involvement and Consultation

7.1. Parent/caregiver involvement is always important when developing appropriate programming for students with Special Education Needs. When developing the IEP, consultation with parents/caregivers is mandatory under Regulation 181/98. Early consultation is essential and absolutely critical in program planning for students whose exceptional needs include behaviours that present serious safety issues. Consultation means providing ample opportunity for parents, caregivers (and/or advocates) and the student, if appropriate, to provide information, ask questions and present their views prior to decisions being made. It is advisable to consult with parents/caregivers *before* the first draft of any plan is written, as well as after the drafts are

completed. However, final decisions on IEP's, Safety Plans and school procedures remain the responsibility of the school Principal.

7.2. Pre-planning and consultation with parents/caregivers will help the school Principal and other relevant staff members ensure that the classroom is a safe learning environment. It will help reassure parents/caregivers that the child's needs are recognized and understood and that the interventions and resources available to the school are in place. Finally, preplanning and consultation between school staff and parents/caregivers will ensure that all appropriate personnel are aware of the steps that will be taken if serious behaviours that threaten the safety of students and/or staff occur.

8. Tracking Behaviour

8.1. Functional Behaviour Assessment (FBA)

8.1.1. A Functional Behaviour Assessment is a valuable problem solving tool. It supports an approach to addressing behaviour problems that looks at both the likely causes and at the characteristics or manifestations of behaviour. An FBA can be used as a planning tool to proactively address behaviour for students not previously receiving programming in an IEP and/or Safety Plan.

8.2. Data Collection

8.2.1. Effective data collection uses tools with multiple types or options for objectively tracking behaviours that can be helpful in gathering information on both skill acquisition (positive behaviours) and interfering/risk of injury behaviours. Educators must measure an individual student's progress in the above areas by collecting and analyzing data on an ongoing basis. Educators must use the data collected to determine the effectiveness of the program and to alter the program as necessary to maintain or increase a student's success. Progress should be measured in accordance with the assessment methods used in the student's program (PPM 140). Data is then reviewed to search for patterns (i.e., time of day, specific triggers, success of interventions, events occurring immediately after the behaviour, etc.) to help inform teaching strategies and necessary documentation. Data tracking logs are also an important tool that can be used when engaging in conversations with parents/caregivers, community agency support services, school administration and WRDSB Special Education services involved in the Management of risk of injury Process.

8.2.2. Effective data tracking logs are tools in which entries can be made quickly, and also provide enough information for evaluation and improvement of the student's program.
The school Principal should ensure that data collection is accurate for measuring student success and is useful to the team to track these goals (i.e. frequency count, duration, A(ntecendent) B(ehaviour) C(onsequence). The principal will ensure that accurate and up to date data is being gathered and tracked. See Appendix B.

8.2.3. Effective data collection:

- Clearly describes what the behaviour looks like
- Identifies factors that initiate, trigger, sustain or end the behaviour
- Focuses on patterns of behaviour rather than individual occurrences
- Identifies which strategies have been effective
- Identifies the need for a Functional Behaviour Assessment (may be required for a Special Education Tribunal hearing and/or other legal proceedings in the review of student interventions)
- Provide data for the development or editing of documentation (ie Safety Plan, IEP etc.)

8.2.4. Data collection is not:

- A one-time event

- A list of negative behaviours
- Subjective to the writer

8.2.5. Data tracking will be reviewed by the Principal after a reported incident on the Employee Incident/Accident Report form, and by the Principal and ISST during each reporting cycle, whenever the IEP is updated and as needed. The information gathered through data collection is essential to determining appropriate student programming (including IEP's, Behaviour Plans and Safety Plans) and safety measures for staff working with students who present a risk of injury.

9. Safety Plans

9.1. The Safety Plan (developed electronically in Clevr) is an important component in the ongoing Management Process of Student Behaviours Causing a risk of injury. This plan is developed for students whose behaviour presents a risk of injury to themselves, staff, students or others and the probability of the behaviour re-occurring again is evident. When a safety plan is needed, there are 3 key factors to consider:

1. Safety of the student,
2. Safety of staff and others, and
3. The environment where the student is exhibiting the behaviour and how it may contribute to escalations or risk of injury to staff, the student or others.

All students with a Safety Plan must have an IEP that identifies the ongoing risk of injury behaviours and daily intervention strategies. While Safety Plans are unique for each student, they include the following information:

- A description of the observable behaviour concern(s)
- Observed triggers or antecedents
- Prevention and intervention strategies
- Emergency communication procedures
- Safety measures for staff
- Documentation
- Follow-up/re-evaluation/re-entry

The Safety Plan must be shared with all staff who work directly with the student.

9.2. Safety Plans must be reviewed and updated as necessary by ISST a minimum of twice per year or as needed after an incident. All staff members who work on an ongoing basis with a student whose behaviour presents a risk of injury should be consulted when there is development of a Safety Plan. Board services (such as Special Education Consultant, Behaviour Management Systems Liaison) can provide support in the development of the Safety Plan as well as the IEP where appropriate. Health and Safety can review Safety Plans as required. Input will be sought from a parent/guardian/caregiver and any community agency professionals currently working with the student.

9.3. A safety plan is required when a student is new to a school, with known concerns related to behaviour which has required physical intervention to ensure the safety of student(s) and staff.

9.4. If a staff person working with the student feels that the student's Safety Plan needs to be reviewed, they will bring that request to the attention of the Principal as soon as possible. The Principal is to respond to the concern in consultation with the staff, which can include interim measures/plans to address the concern. The request can be reviewed as soon as possible with the in school support team (ISST) supporting the student and/or central support staff as needed.

9.5. Staff must include copies of the student's Safety Plan in the Emergency Supply Plans binder in their classroom in a secure, but accessible location to allow occasional staff access to the information while ensuring controlled access to the student information.

9.6. WRDSB Extended Day Program

9.6.1. For students with a Safety Plan who are enrolled in the WRDSB Extended Day Program, school Principals will ensure this is communicated to the Extended Day Supervisor prior to the student starting in the Extended Day program or when the Safety Plan has been created.

9.6.2. The Extended Day Supervisor will be given a final copy of the Safety Plan signed by the parent as required under the CCEYA and will ensure that the Safety Plan will be shared with the appropriate Extended Day Staff. It is an expectation that all staff working in the Extended Day Program will review the Safety Plan Summary and the Extended Day Supervisor will ensure this has been reviewed by the appropriate staff. A copy of the signed Safety Plan will be kept in the classroom Extended Day Administration Binder which is accessible to the staff members and reviewed during licensing inspections with the Ministry of Education.

9.6.3. The Extended Day Manager will ensure that any additional training or information will be provided to the Extended Day Team.

9.6.4. If any changes are made to the Safety Plan, the school Principal will communicate this information to the Extended Day Supervisor.

10. Safety Plan Summary

10.1. The Safety Plan Summary acts as a mechanism to ensure notification of risk to staff who may interact with the student as outlined in the Occupational Health and Safety Act. The Safety Plan Summary is created from the student's pre-existing Safety Plan document in Clevr.

10.2. Safety Plan Summary: Regular School Day

10.2.1. When a student has a Safety Plan, school Principals will ensure that the Safety Plan Summary is located in the main office in a clearly labelled "Safety Plan Summary" Binder that is readily accessible to all WRDSB Staff. When Central Staff or an Occasional Staff member is working directly with a student with a Safety Plan they will be required to read the Safety Plan Summary in its entirety prior to working with the student and sign off that they have read the document. It is the responsibility of the school Principal or designate to ensure that this occurs.

11. Assessing risk of injury

11.1. Where risk of self-injury or injury to others exists, the level of risk must be reviewed on an ongoing basis by appropriate staff to determine prevention and intervention strategies.

11.2. It is essential that information about student behaviour posing a risk of injury be responsibly shared between the Principal of sending and receiving schools/programs (Appendices C and D). Ongoing, comprehensive risk of injury management is part of the transition process and involves collaboration among School and Board professionals, along with parents/caregivers and community professionals.

11.3. It is important to identify risk factors before the student starts at a particular school or program; however, observation of the student in the school setting is a critical component of this ongoing process. The information gathered when assessing the risk of injury above is to be shared at ISST meetings. Should concerns continue or increase, it may be necessary to bring these concerns forward to a MDST. Recommendations regarding behaviour needs, prevention and intervention strategies, staffing and training requirements and personal protective equipment (PPE) are to be shared with all relevant, affected personnel. Parents and caregivers need to be informed and will be invited to attend meetings. Decisions regarding information sharing and implementation of recommendations rest with the school Principal. All changes or additions to strategies will be documented in the IEP and Safety Plan, as appropriate.

11.4. The school Principal may request additional information, staff, equipment, further assessments, etc.. The school Principal will consult with the family, when making decisions with respect to the student's attendance at school (i.e., timelines, start date, timetable), IEP and Safety Plan components and progressive discipline factors. The final decision will rest with the school principal.

11.5. If PPE is listed on a student's Safety Plan it must be worn at all times when working with the student.

12. Physical Contact

12.1. Physical contact refers to a range of positive teaching techniques employed as a standard part of the classroom management system, which involves touching the student. As such, it includes, but is not limited to contact which occurs when:

- Role playing is being employed for the teaching of social skills or problem solution;
- A student requires physical assistance in attending to a task;
- A student requires assistance in controlling excessive body movements (e.g.,biting, picking, hair pulling)
- Non-verbal cues are given to the student as a means of supporting student behavioural needs, self-regulation needs and avoid disciplinary procedures: or
- A student requires hand-over hand guidance to successfully perform a task.

12.2. Guided Redirection refers to an action that requires the use of limited physical contact such as taking the hand of a cooperative and willing child in order to offer a change in environment for the student. The student must be willing to move with an adult. This type of physical redirection does not require a Safety Plan.

12.3. Physical containment in relation to a student refers to a range of holding techniques, (Behaviour Management Systems (BMS)) used to restrict the student's ability to move freely by holding the student in place. The purpose of physical containment is not to discipline the student, but rather, to prevent the student from injuring themselves or others. The use of any physical containment with a student increases the risk of injury to the student and the staff member(s). A physical containment should only be used as an **absolute last resort where there is imminent danger to the student and/or others**. When a planned intervention is used staff will use BMS techniques as per their BMS training and follow the strategies outlined in the Safety Plan.

12.4. "Contain-and-Release" refers to the use of physical containment holding techniques that restrict a student's ability to move freely only until the risk of injury to self or others is no longer imminent, rather than until the student is calm. Whenever possible, a first priority is to remove the target of a student who is engaging in injurious behaviours (i.e., striking, kicking, grabbing or biting) to avoid injury. However, 'contain-and-release' is an appropriate staff response to strikes, kicks, grabs or bites from a student, (i.e., student initiated injurious behaviours), when the staff member is unable to avoid or get away from the student. It is important that the methods used do not result in pain or injury to the student and must align with BMS techniques from BMS training.

12.5. If the intervention strategies detailed in the IEP do not result in a decrease of the behaviours requiring physical containment, the entire IEP must be re-evaluated. The use of physical containment as a component of the IEP is not appropriate if there is no reasonable expectation that the need for physical containment will decrease and eventually not be needed.

13. Behaviour Management Systems Training (BMS)

13.1. BMS Training supports staff to help maintain the knowledge and skills to successfully respond to behaviour and the establishment of a safe, caring and inclusive learning and teaching environment. BMS is meant to encourage staff to take a proactive and preventative approach to conflict reduction, to use de-escalation strategies, and prepare staff to use physical containments in imminent risk circumstances. Educators who participate in the BMS training will possess a

greater level of expertise and enhanced confidence in addressing the Care, Welfare, Safety and Security of everyone involved in a behaviour situation.

13.2. Training Requirements: BMS training is mandatory for all WRDSB Paraprofessional Staff, Congregated classroom staff, DECEs and Administrators (this includes on-going yearly recertification training). If a staff member is included in the Planned Physical Containment as part of a student's Safety Plan then the staff member must have BMS training. Voluntary training is made available to all other staff members.

13.3. Please refer to the yearly BMS Training Plan for mandatory working group training dates as well as any voluntary training dates. If you have any questions about staff training, please contact your Behaviour Management Systems Liaison (BMSL).

14. Decision to Physically Intervene

14.1. The Board expects staff to use positive, non-physical intervention strategies to prevent a student's behaviour from escalating to the point where the student exhibits a negative, potentially injurious, response. These strategies will be part of the student's IEP. The IEP describes the instructional , environmental and assessment accommodations to be used to help the student increase positive and appropriate behaviours and decrease behaviours that interfere with learning, self-regulation and social interaction.

14.2. In situations where positive and non-physical intervention strategies have been unsuccessful in helping the student regulate, and their behaviour has become injurious to the point where the student:

- Might respond causing injury to another
- Attempts self-injury
- Attempts to leave a supervised area, such that their personal safety is at imminent risk

Staff will need to make a decision whether to physically intervene or not and to obtain assistance as soon as possible.

14.3. In the event that student behaviour results in an emergency situation, normal procedures for contacting emergency services apply. This would include a 911 call followed by a call to 4123. Calling 9-1-1 for assistance by emergency services is an option in an emergency situation and should be given consideration where the behaviour(s) present a significant risk of serious injury to self and/or others, such that contain-and-release techniques cannot be safely used.

15. Use of Physical Containment

15.1. Planned Physical Containment Protocol – For a student where known behaviours present a safety risk to the student or others. **Physical containment is the last resort** within a hierarchy of intervention strategies outlined in the Safety Plan. **The Safety Plan must clearly state the purpose of physical containment and the conditions of its use**. The plan is developed by school staff in consultation with, but not limited to, the following:

- The student as appropriate
- Parents/caregivers (signature indicates awareness, not necessarily permission)
- Special Education personnel
- Safe and Healthy Schools personnel (as required)
- Professional Support Services staff (as required)
- Community agency personnel (as required)

15.2. Only trained staff (as noted in Clevr)will participate in a Planned Physical Containment.

15.3. The details involved in the use of Planned Physical Containment with a student are identified in the student's Safety Plan. A Safety Plan that includes Planned Physical Containment is found in Clevr.

16. Unplanned Physical Containment Protocol

16.1. Occasionally, a student who does not have a current history of behaviour that presents a risk of self-injury or injury to others may become dysregulated and attempt to injure themselves or others. Physical containment with the student for safety purposes may become necessary. If at all possible, staff members who have been formally trained in physical containments through BMS should be called upon. BMS Trained staff will follow the applicable procedures noted above in the Safety Plan details. When this occurs an Unplanned Physical Containment Form must be completed by the school Principal or Designate. This form is completed in Clevr..

16.2. Where BMS trained staff members are not available, staff judgment will govern responses. The critical factors in determining staff action will be:

- The level of immediate risk of injury
- The physical characteristics/abilities of the staff and student

16.3. In the event of an Unplanned Physical Containment, some of the same steps used in the Planned Intervention Protocol will be followed.

16.4. Following the incident, the school Principal must take the following steps:

a. Call the student's parents/caregivers.
b. Debrief with the staff involved. Determine whether the behaviour is a one-time event or is likely to occur again.
c. If there is a reasonable possibility that the previous unexpected behaviour will occur again, consider the following:

- A review of the IEP for the student, if applicable
- A review with Board Special Education and Safe and Healthy Schools personnel
- Development of an ongoing Management of risk of injury Process for the student and safety measures for staff through the development of a Safety Plan shared with all staff working with the student
- Development of a Safety Plan Summary for occasional and Board staff working with the student intermittently
- Working with members of the MDST to discuss potential community supports in collaboration with parents/caregivers
- Staff training and equipment needs

d. Complete an Unplanned Containment Form in Clevr

16.5. **Student Injury during Physical Containment**: In all physical containment situations, planned or unplanned, where the student has sustained an injury (including scratches, marks, contusions, bruises) or the child complains of an injury, notify:

- Emergency medical services, if required
- The school Principal
- The parents/caregivers

16.6. Details of the Physical Containment techniques used and of the injury to the student, in addition to the specific details of the incident, will be included in the Incident Form. If the student requires medical services or the parent requests, Family and Children's Services MUST be contacted. In all other cases of reported injury to the student, the school Principal will review the physical containment and determine if Family and Children's Services should be contacted. School Principals should refer to the Family and Children's Services (F&CS) Protocol and Guidelines.

16.7. Complete an OSBIE Report Form if medical attention for the student is sought or recommended.

16.8. Important Information Regarding Legislation and the Use of Physical Force with Students

16.8.1. The Education Act does not directly address the issue of physical containment. However, Section 265 (1)(a) of the Education Act gives school Principals the mandate to maintain proper order and discipline in the school. Section 264(1)(e) mandates teachers to maintain, under the direction of the school Principal, proper order and discipline in the teacher's classroom, while on duty in the school and on the school grounds. If the security of the school or the safety of its students requires physical containment with a student, Board staff have the authority and responsibility to take reasonable steps.

16.8.2. Two other pieces of legislation speak directly to the use of physical containment:

- Section 43 of the Criminal Code states: "Every school teacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances."

  On January 30, 2004, the Supreme Court of Canada upheld Section 43 of the Criminal Code, but placed specific limits on the use of force. Included among the specific limits was that the use of corporal punishment by educators, including teachers, assistants and administrators is not acceptable. However, the Court did explain that Section 43 would continue to protect a teacher who uses reasonable force to contain a student in appropriate circumstances (i.e. threat of self-injury or injury to others). The reasonable force should be such that its intent is neither to harm nor degrade the student/child. The person containing the student/child by means of force must seek to avoid pain and harm and must never include cruel, inhumane or degrading treatment, nor use force in anger or to punish the student/child.

16.8.3. Regulation 70, General, pursuant to the Child and Family Services Act outlines the responsibilities and requirements of youth residences regarding the use of physical containment. While Regulation 70 does not apply directly to school boards, it does create a standard against which boards may be measured. Relevant provisions in Regulation 70 include the following:

- Physical Containment may be applied only to prevent imminent physical injury to the child or others:
  - Never as a punishment
  - Only where less intrusive means have been considered
  - Those applying (planned) physical containment must be trained in BMS, and:
  - May use only those holds for which they have been trained
  - Must use the least amount of force necessary to restrict the child's ability to move
  - Must monitor the child's condition while the child is in a physical containment
  - Must stop the physical containment when there is no clear and imminent risk of injury to self or others or the intervention could cause injury to the child
  - Those applying the physical intervention must debrief after a containment has been applied and as part of the ongoing Management of risk of injury Process
  - Those applying the physical intervention must document and report each occasion of containment to the parent/caregiver and school Principal

16.8.4. Ontario College of Teachers - Professional conduct outlined by the Ontario College of Teachers indicates that there are clear limits on the use of force by teachers with respect to the discipline of students. Regulation 437/97:

16.8.5. Professional Misconduct includes "abusing a student physically, sexually, verbally, psychologically, or emotionally" as professional misconduct. (See Reg. 437/97 S.1(7)).

16.8.6. Developmental Services Act Regulation 272 17(2) For greater certainty, physical containment does not include:

16.8.7. Restriction of movement, physical redirection or physical prompting, if the restriction of movement, physical redirection or physical prompting is brief, gentle and part of a behaviour teaching program; or

16.8.8. The use of helmets, protective mitts or other equipment to prevent a student from physically injuring or further physically injuring himself or herself. O. Reg. 78/02, s.1.

17. Responsibilities

17.1. The School Principal is ultimately responsible for the safety of staff and students at the school. The School Principal is required to conduct an investigation into all potential and reported incidents of unsafe conditions and establish a school plan to alleviate the safety concern. In addition, the School Principal is responsible to:

- Ensure that preventative programming and instructional interventions are implemented to respond to unsafe student behaviours
- Ensure that staff are provided with a plan of action (i.e., Safety Plan) and Personal Protective Equipment (PPE) as needed to work with students with a risk of injurious behaviour. PPE will need to be properly fitted, stored at the school site (when not in use) and replaced as needed. Refer to PPE Process. Prescribed PPE must be worn by staff working with the student and documented in the student's safety plan. Encourage all staff to approach behaviour improvement the same way we approach classroom instruction and assessment. Staff are expected to establish long term goals then plan, act monitor implementation, review/reflect on progress, and modify plans as needed.
- Principals will refer to the Principal's Action Plan (Appendix A)

17.2. It is the responsibility of all staff to follow safety procedures in the school and as outlined in the IEP and Safety Plan for all students.

17.3. It is the responsibility of the System Administrator - Special Education in collaboration with the Health, Safety and Security Department to be a resource to school Principals, Learning Services (Special Education central staff) and school staff in addressing safety concerns.

17.4. The Health, Safety and Security Department, in collaboration with the System Administrator - Special Education, is responsible for communicating with the Joint Health and Safety Committee, Union affiliates (in response to safety concerns) and the Ministry of Labour, Immigration, Training and Skills Development (MLITSD) where appropriate.

18. Confidentiality in Special Education

18.1. School Principals are reminded that all legislation with respect to student, family and staff confidentiality must be adhered to in all discussions, correspondence, case conferences and program planning for any student, including students whose manifestation behaviours present a risk of injury. Care must be taken to obtain the required informed consent with respect to the sharing of pertinent medical, psychological, educational, employment and family information.

18.1.1. **Unauthorized Disclosure of Student Information and Safety Plan Documentation**
Safety plan and related documentation is part of a student's OSR and schools must keep OSR information confidential. Principals may share information related to the safety plans on a need-to-know basis, while meeting the requirement to inform staff of behaviour posing a risk of injury as prescribed in the Occupational Health and Safety Act.

Refer to *AP 1050 – Ontario Student Record and Office Index Card* for more information as well as *AP 1100 - Privacy Protection and Access to Information.*

18.1.2. The **unauthorized disclosure of student information to non-authorized parties is strictly prohibited** and may result in corrective action up to and including termination of employment.

Safety Plans promote a culture of health and safety in Ontario schools. The safety plan reinforces positive behaviour supports and the concept of a caring and safe school, positive school climate and a whole school approach.

Information contained on the safety plan is confidential and is made available on a need-to-know basis.

The collection of this information is authorized under the Education Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information provided will support the management of the student's safety plan. Any questions or concerns regarding this collection should be directed to the school principal.

18.1.3. Safety Plans and Safety Plan Summaries and all related safety planning documents that are not filed of the OSR must remain confidential and schools are required to shred hard copies of a students safety plan:

a) When being replaced with an updated version.
b) At the end of the school year

18.1.4. Below is a brief summary of relevant legislation with which School Principals should be familiar (School Principals are reminded to consult with their Superintendent, the WRDSB Freedom of Information Officer regarding any questions that may arise about confidentiality). Municipal Freedom of Information and Protection of Privacy Act (MFIPPA):

- S.14 (3) Presumed Invasion of Privacy

  A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy if the personal information,

  a) Relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation
  b) Relates to employment or educational history
  c) Consists of personal recommendations or evaluations, character references or personnel evaluations
  d) Indicates the individual's racial or ethnic origin, sexual orientation or religious or political beliefs or associations

18.1.5. However, in most cases, disclosure of relevant safety information to specified school staff is allowed, either with consent or upon notification pursuant to as follows:

- S.3: An institution shall not use personal information in its custody or under its control except,

  a) If the person to whom the information relates has identified that information in particular and consented to its use
  b) If the purpose for which it was obtained or compiled is for a consistent purpose
  c) For a purpose for which the information may be disclosed to the institution under section 32 or under section 42 of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, s. 31.

18.2. Personal Health Information Protection Act

18.2.1. S.40 (1): A health information custodian may disclose personal health information about an individual if the custodian believes on reasonable grounds that the disclosure is necessary for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons

18.3. Youth Criminal Justice Act

18.3.1. S.125 (6): The provincial director, a youth worker, peace officer, or any other person engaged in the provision of services to young persons may disclose to any professional or other person engaged in the supervision or care of a young person – including a representative of any school board or school or any other educational or training institution – any information contained in the record…if the disclosure is necessary to ensure the safety of staff, students or other persons

18.3.2. A person to whom information is disclosed under s. (7)(a)(b)(c) shall keep the information separate from any other record of the young person…ensure that no other person has access to the information except if necessary for the purposes of s. (6) [and]…shall destroy their copy of the record when the information is no longer required for the purpose for which it was disclosed

19. Admission of Students with a Current History of Injurious Behaviour

19.1. Where a student is registering to attend a Board school (whether from another board, a section program, or beginning school for the first time) and the Board is made aware that the student has behaviours that pose a significant safety concern and/or risk-of-injury, entry and re-entry procedures include, but are not limited to, the following:

- The School Principal or designate shall register the student and contact the System Administrator-Special Education. A start date is not provided until the development of an entry plan is completed.
- The school Principal shall access the risk-of-injury in the development of a school entry plan (Note: Every effort should be made by the School Principal to obtain the student's OSR (if from another board) and/or any other related records prior to the student's entry to school). Discussions with the following people will occur, as appropriate:

    a) Parent/caregiver
    b) Previous school Principal or Program Administrator
    c) Community agency personnel
    d) Family of Schools Superintendent
    e) School Principal
    f) Classroom teacher
    g) Representative of previous board/setting
    h) Special Education Services, Professional Support Services, Safe and Healthy Schools, and Health and Safety personnel

- Information gathered shall include:

    a) IPRC decision information, including a history of the student's strengths and needs
    b) Current Violent Incident Reports
    c) Current Special Incidence Portion (SIP), Claim information and staffing
    d) Current IEP, Safety Plan and Data Tracking logs
    e) Current in-school interventions and prevention strategies (current IEP and Safety Plan)

- Information gathered may include:

    a) Current and/or existing health information, including diagnoses and medications
    b) Current and/or existing assessment information from professional staff (i.e., psychology, social work, speech/language, attendance, physiotherapy, occupational therapy)
    c) Current and/or existing assessment information from involved community agencies/services
    d) A Functional Behaviour Assessment

e) Parent/caregiver interventions and prevention strategies
f) Any current safety audits of the classroom and school environment
g) Information regarding involvement with Safe and Healthy Schools or probation/police, as appropriate

- Actions will include, but are not limited to:

a) Determining whether there is enough information to develop a responsible and safe entry plan
b) Communicating the entry timeline to staff, parent(s)/caregiver(s). The child may be kept at home until the Safety Plan is completed and staff is made aware of the contents of the Safety Plan
c) Developing an entry plan
d) Identifying any additional information (including professional assessments) required by specific Board Staff
e) Informing all relevant staff of the level of risk including the classroom teacher
f) Identifying staffing needs (qualifications, training and equipment requirements) to ensure a safe school environment
g) Identifying alternative measures to be implemented in case of staff absence (i.e., contingency planning)
h) Designating staff to be involved in revising/preparing the IEP and Safety Plan (must include the classroom teacher)
i) Preparing information for a SIP Claim
j) Involving community agencies/services during the entry process (consultation, transition supports and follow –up)
k) Identifying which additional Board Services, if any, the Board could provide or recommend to the family
l) Identifying possible community agency/service supports (if not already present) for the student/family during the referral process

20. Admission Checklist for School Principals

20.1. If a School Principal is aware that the student entering into their school has or may present with behaviours that are or may be aggressive or unsafe and thus present a risk-of-injury, they will refer to the Admission Checklist for school Principals (Appendix C).

21. Re-admission Protocol

21.1. Where an exceptional student whose behaviour continues to pose a significant safety concern and/or risk of injury is returning to a WRDSB school from an exclusion [*refer to Education Act, Section 265 (1)(m)*], a suspension program, a section program, expulsion program or has been assigned to another school in the Board following expulsion from his or her school, re-entry procedures must be followed by the School Principal.

21.2. For students who are returning from a long-term suspension and who have not attended a suspension program, the following will be reviewed:

- Student's Current IEP and Safety Plan (including updated intervention and prevention)
- Current behaviours that continue to present a risk-of-injury
- Academic progress during suspension (work done at home)
- Additional relevant assessment information
- Parent/caregiver intervention and prevention strategies
- Current safety audit of the classroom and school environment
- Staff training/in-service and possible personal protective equipment needs
- Alternative measures and contingency plans in case of staff absence
- Re-entry plan and timelines

21.3. For students returning from a long-term suspension who have attended a suspension program, the following may also be reviewed (in addition to the above):

- The Student Action Plan (SAP) and outcomes of the suspension program (Please note: The SAP continues the services and supports identified in the IEP)
- Any additional academic and non-academic supports identified by the suspension program staff that the student may require upon returning to school
- Updated information from the suspension program regarding the student's behaviour

21.4. For students returning from an Education and Community Partnership Program, all of the above will apply, including:

- A transition plan developed collaboratively by the Board and Section Staff

21.5. Discussions/meetings **will** include, but are not limited to the following stakeholders:

- Parents/caregivers
- School/Program Principals (sending and receiving)
- Classroom teachers, classroom support staff (sending and receiving)
- Manager of the Before and After school program, if applicable

21.6. Discussions/meetings **may** also include:

- The student
- Special Education Services
- Employee Health and Safety Department
- The school Principal or a representative of the previous school/setting
- Safe and Healthy Schools
- The Superintendent of Student Achievement and Well-Being
- Community agency personnel with the appropriate Release of Information documents provided
- Note: See Admission Checklist for school Principals (Appendix C) which can also be used for readmission

22. Re-admission from Expulsion

22.1. Please refer to Admission Checklist for school Principals (Appendix C)

23. Exclusion

23.1. As previously described, a student with Special Education Needs might have manifestation behaviours that pose or continue to pose a significant and certain risk of injury to them, other students and/or staff, in spite of extensive intervention, including additional support through the student support process, PPE, and professional student support services intervention. Where comprehensive Safety Plan strategies have been reviewed, modified and put into place with little or no reduction in risk, it may become necessary for the school Principal in collaboration with the Family of Schools Superintendent to consider a recommendation for exclusion under S.265 (1)(m) of the Education Act.

23.2. Discussions with parents/caregivers and formal notifications of exclusion must occur. This may also include discussions related to the involvement of community agencies/health services and/or discussion with current agencies involved; offering of alternative learning settings, if available; management process of risk of injury; and re-entry requirements/options and timelines. Please see SES-18-01 (Exclusion letter)

23.3. An exclusion is not permanent, nor is it a demission from the school and/or program. If the parent/caregiver are in disagreement with the exclusion, they have the right to appeal (see AP2350 for the appeal process).

23.4. While school Principals have an option to exclude, this process must be done in collaboration with the School Superintendent.

23.5. Exclusions are not a form of progressive discipline.

24. Transfer/Promotion/Placement of a Student with Special Education Needs Whose Behaviour Poses a Risk of Injury to the Student and/or Others

24.1. When transferring/promoting or placing a student with Special Education Needs whose behavior may pose a risk of injury to the student, staff and/or others in the school to which the student is being sent, the school Principal of the sending school **MUST** alert the school Principal of the receiving school **BEFORE** the student arrives at the new school. Additionally, the OSR, along with recent data collection are required to also be couriered to the receiving school Principal, prior to the student's arrival. Updated safety plans and IEPs are accessible on Clevr.

24.2. When a parent/caregiver requests that a student be deregistered from a school with a program that meets the Special Education Needs requirements of the student and seeks to enroll the student in a school without such a program, the student shall not be permitted to attend the receiving school until that school has received all of the OSR material and other items listed in 24.1.

24.3. In all cases, the school Principal of the receiving school shall ensure that the staff of the receiving school working with the student receive appropriate information regarding the Safety Plan of the transferred student. They must have the opportunity to review the Safety Plan, ask questions and provide feedback prior to working with the student.

24.4. In all cases, the parents/caregivers of the student shall be advised of the protocol.

25. Sending School Principal Checklist (Appendix D) for Safe Transfer of Students with Special Education Needs that Include Risk-of-Injury Behaviours

25.1. Possible Student: Profile – A Student who demonstrates some of the following behaviours:

- Persistent attempts at self-injury
- Established pattern of injurious behaviour impacting staff
- Established pattern of injurious behaviour impacting peers
- Persistent attempts to damage property
- Persistent verbal and/or physical outbursts that interfere with the safety and/or learning of others
- A lack of predictability (no established triggers) for injurious and highly disruptive behaviours

Student Transfer Team

25.2. The Special Education Safe Transfer Team may consist of, but is not limited to:

- The student
- Parent/caregiver
- Current teacher and special education staff
- The school Principal or designate (sending and receiving)
- School social worker (with parent/guardian permission)
- Receiving program/classroom staff
- Guidance Department/Special Education Department (at secondary level)

26. Receiving School Principal Checklist (Appendix E) for Safe Transition of Students with Special Education Needs that Include risk of injury Behaviours

26.1. Possible Student: Profile – A Student who demonstrates some of the following behaviours:

- Persistent attempts at self-injury
- Established pattern of injurious behaviour impacting staff
- Established pattern of injurious behaviour impacting peers
- Persistent attempts to damage property

- Persistent verbal and/or physical outbursts that interfere with the safety and/or learning of others
- A lack of predictability (no established triggers) for injurious and highly disruptive behaviours

27. Notification to Staff of "Risk-of-Injury"

27.1. The *Occupational Health and Safety Act (OSHA)* requires that employers acquaint workers with any hazard in the workplace (OHSA 1990, 25(2)(d)). The Ministry of Labour, Immigration, Training and Skills Development (MLITSD), in its interpretation of this clause, has included the risk of injury from Special Education students with a history of injurious behaviour. Accordingly, school Principals must ensure that all staff who have contact with Special Education students with a current history of injurious behaviour in school are informed of the risk of injury when interacting with these students prior to working with the student, including occasional, itinerant and other staff.

27.2. School Principals must ensure that appropriate IEPs and Safety Plans are developed and implemented. The school Principal must also ensure that staff is informed of any student who presents a risk of injury to staff or other students and that staff are informed of all strategies and interventions that are in place or to be used to protect staff and students (i.e., Safety Plan, Safety Plan Summary, Extended Day Safety Plans, direct communication). Staff must be informed that they must report concerns of unsafe student behaviour to the school Principal as per board procedures and section 29 of this procedure.

28. Documentation and Data Analysis

28.1. Gathering statistical information regarding students with Special Education Needs with injurious incidents and related injuries to staff and students, helps a school system monitor and assess successes and helps determine areas for improvement. This information is vital with respect to improving support for students with manifestation behaviours and reducing the risk of staff or student injury.

28.2. With respect to students with Special Education Needs, school Principals will collect data from the following completed documents, regardless of the student's suspension/expulsion status:

- Employee Incident/Accident Report Form (Form HR-05-770)
- Safe Schools Incident Reporting Form (IS-15-03)
- Safe Schools Incident Form
- Use of Unplanned Physical Containment Form (located in Clevr)
- Data Collection (Appendix B)
- Safety Plan (located in Clevr)

29. WRDSB's Employee Incident/Accident Report Form

29.1. WRDSB staff have both the duty and responsibility to report concerns/hazards directly to their Administrator/Supervisor and work collaboratively to identify and implement control measures to address the concerns/hazards. To address workplace violence and further a culture of health and safety, staff are to report physical acts, attempts and threats of workplace violence directed towards workers to their Administrator/Supervisor (refer to section 4.4.5 for the definition of workplace violence under the OHS Act). Staff must ensure that if they are injured at work due to workplace violence, it must be reported on an Employee Incident/Accident Report located on the Board's staff website or at https://wrdsb.ebasefm.com/.

- In addition, data collection tools are also available for classroom staff to assist with collecting and communicating student behaviours (samples located in the Special Education Handbook).

29.2. When an Employee Incident/Accident Report Form (Stage 1) is submitted, the Administrator must investigate the incident through having discussions with the staff member who submitted the

report and other staff involved/witnesses. They are to review the circumstances that led to the incident and collaboratively identify potential corrective and preventative actions to be implemented to prevent recurrence (e.g., review proximity/positioning, update Safety Plan, implement PPE, workplace audit, Student Support Process, etc.). The Administrator documents their investigation and actions being taken by completing Stage 2 of the Incident/Accident Report Form.

29.3. If required, the school Principal will contact their Health, Safety and Security Officer or Special Education Consultant for assistance in the mandatory completion of the corrective/preventative action section of the Employee Incident/Accident Report form.

29.4. The Principal is responsible for communicating any changes to the programming or safety plan for the student as a result of the incident back to the reporting or injured staff member.

29.5. Once the completed Employee Incident/Accident Report form has been received by the Health, Safety and Security Department,the form will be reviewed to determine if further corrective/preventative action or involvement is required. If the incident is a Critical Injury, severe injury (or what could have been deemed a severe injury) or if deemed necessary (i.e., after repeated occurrence of incidents) the Manager of Health, Safety and Security, or designate will notify the System Administrator of Special Education), and as required the Superintendent, Student Achievement and Well-Being (Special Education) or Family of Schools Superintendent, Student Achievement and Well-Being for the purpose of providing support to the site, including, but not limited to supporting the Principal, developing/editing a student's Safety Plan, accessing Special Education resources to support the site and ensuring that appropriate action has been taken.

30. Internal Responsibility System (IRS)

30.1. To promote a culture of health and safety, it is paramount that all workplace parties be encouraged to support the resolution of concerns through the Internal Responsibility System (IRS) in a professional, cooperative and timely manner.

30.2. All WRDSB staff are responsible to communicate concerns and potential safety hazards, including those related to student behaviour, directly to their Administrators/Supervisors, and work collaboratively to find and implement appropriate control measures. This may include concerns related to:

- new and unplanned behaviour not already identified in the student's Safety Plan;
- injurious behaviour that has increased in frequency or severity;
- the need for PPE or additional items of PPE;
- the need for debriefing of incidents; and/or
- classroom safety

30.3. It is the responsibility of the Administrator/Supervisor to respond, investigate and assess the concern in a timely manner, and collaborate to determine options or controls in consultation with the staff involved.

30.4. Additional information about the safety concerns, the IRS and work refusal is available on the Health and Safety Website.

31. Work Refusals

31.1. The Occupational Health and Safety Act (OHSA) gives a worker the right to refuse work that they believe is unsafe to them or another worker, including if a worker believes that they are endangered by workplace violence.

31.2. Additional information about the safety concerns, the IRS and work refusal is available on the Health and Safety Website.

32. OSBIE Report of Accident Form (for Students)

32.1. If an incident occurs where a student is injured and medical attention is sought or recommended, the school Principal must also complete the OSBIE Injury Capture Form.

32.2. Please refer to the Post-Incident Checklist (Appendix F) for a guideline of procedures to be considered following an incident or use of physical containment.

33. Reporting Student risk of injury Concern

33.1. Prior to working with students, the Board expects the school Principal will notify staff of any safety concerns with respect to risk of injury from a student. However, situations may arise during the year where students whose behaviours had not previously presented a risk of injury, now present a risk. Staff must notify the school Principal of such a risk immediately so that the school Principal can evaluate the situation and determine the need to begin the ongoing Management Process for risk of injury Behaviour. If risk of injury to staff is determined possible, the school Principal must follow the process outlined in the Management Process for risk of injury.

34. Staff Absences

34.1. School Principals must develop contingency plans with staff and parents/caregivers for those situations in which occasional, casual, temporary staff are not available, or the occasional, casual, temporary staff available does not have the qualifications, skills, and/or experience to meet the physical demands of the assignment. This planning should be done before the student begins a program and will include alternative safety measures to be implemented in case of staff absence. Alternatives could include temporary reassignment of existing site staff, or temporarily placing the student in another classroom or safe location in the school. Alternative plans developed with the parents/caregivers are part of the ongoing Management Process for risk of injury.

35. School and Classroom Safety Audit

35.1. As part of the ongoing Management of risk of injury Process, the school Principal must conduct a Classroom and School Safety Audit (Appendix G) specific to the student's needs and to support the safety of staff working with the student. Potential risks to the student's own safety, staff safety or to others in the general school environment need to be identified and precautionary procedures established. Include both interior (i.e. classrooms, sensory rooms, hallways, pods, etc.) and exterior (i.e. playgrounds) school environments where the student will be present.

35.2. An initial safety checklist specific to Special Students with high Special Education needs who present a risk of injury should be used to ensure that:

- IEP and Safety Plan emergency and communication procedures have been established;
- A plan for summoning immediate assistance and response is developed and staff working with the student are made aware including:
- Access to the school emergency communication system; and
- A two-way communication system (for staff in direct contact with the student, as determined in the Risk Review process) is in place (i.e., classroom phone, walkie-talkies);
- Emergency procedures for moving the class away from student/situation of risk (i.e, classroom evacuation), or removal of the student from class, when possible, have been established;
- Transitions to and from the classroom have been established and practiced;
- Consideration in the Safety Plan has been given to the student returning from a prolonged absence and/or non-routine activities (e.g., fire drills, lockdowns, school assemblies and field trips)
- In-class movement procedures have been established;
- Movement between staff and student (furniture placement) has been established;

- The need for a quiet area or quiet space within the classroom (using headphones for example) has been established;
- Clear routines for material/equipment use have been established;
- Furniture/equipment is kept to what is required to support curriculum and secured as needed so that it cannot be tipped or thrown.
- Excess supplies/materials/toys accessible to students that could be thrown/cause injury are kept to a minimum (i.e rotated in and out), stored in cupboards, or closely monitored by staff;
- Items that may be used to harm self or other (e.g., scissors, kitchen accessories) are controlled by staff or removed from the room;
- Appropriate storage options are in place to control access to items (i.e., covered bins, locked cupboards, etc.)
- Alternative learning materials (i.e., safety compass, safety scissors) are being used;
- Washroom access and supervision has been established;
- A safety audit of the classroom and other rooms frequented by the student and the playground have been conducted and supervision has been arranged for all activities and transition times; and
- School arrival and departure procedures (i.e., busing) have been established

35.3. If the school Principal requires assistance with the safety audit they can consult with their MDST for additional support (i.e., BMSL referral), and/or contact the Health, Safety and Security Department for assistance.

36. Health and Safety Support and Resources

36.1. Health, Safety and Security provides support and resources for Administrators and staff as it relates to the Occupational Health and Safety Act, workplace violence, employee incident reporting, work refusals, health and safety concerns and any Ministry of Labour, Immigration, Training and Skills Development (MLITSD) involvement Administrators and staff can access resources and support on the Health, Safety and Security website on the Staff Intranet or by contacting Health, Safety & Security directly at healthandsafety@wrdsb.ca.