

# MAINTAINING SCHOOL SAFETY:

A Guide  
For School and Police  
Personnel in B.C.

2024

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## ACKNOWLEDGEMENTS

We would like to thank all who participated for their contributions to the development of this guide, and especially the following organizations:

Abbotsford Police Department  
North American Center for Threat Assessment and Trauma Response  
Nelson Police Department  
RCMP “E” Division  
Safer Schools Together  
School District No 8 (Kootenay Lake)  
School District No. 39 (Vancouver)  
Southern Law  
Surrey RCMP  
Vancouver Police Department  
Victoria Police Department

## NOTE

This document uses three types of text box:



**Immediate risk boxes**



**Information boxes**



**Best Practices boxes**

## PURPOSE

**Every student in British Columbia should feel safe, accepted and respected**, regardless of race, colour, ancestry, place of origin, religion, family status, diverse abilities, sex, sexual orientation, gender identity or expression.

The Government of British Columbia, together with the entire K to 12 education sector, is committed to ensuring school safety. Local police agencies are their primary partners in addressing school-related safety concerns.

The Province of British Columbia launched the Expect Respect and a Safe Education (*erase*) strategy in 2012 to help prevent, identify and stop harmful behaviours by children and adults, whether they occur at school, online or in the community. The comprehensive strategy includes training for educators, police, and other community partners focused on threat assessment and ensuring safe school communities. In 2018, the Province expanded the strategy to address new and evolving issues facing youth in B.C. communities, including gang involvement, gun violence, cyberbullying and online safety, mental health and substance use, sexual orientation and gender identity, anti-racism and gender-based violence.

School safety is a  
**shared responsibility** that  
requires  
cooperation,  
collaboration and  
communication.

**erase**

**EXPECT RESPECT &  
A SAFE EDUCATION**

Read more about the *erase* strategy at [erase.gov.bc.ca](https://erase.gov.bc.ca).

This document has been developed to further the *erase* strategy and to support the following goals:

- **To strengthen working relationships** between police and schools at all levels
- **To clarify obligations and procedures** that are required by federal and provincial legislation and ensure a **consistent approach** in addressing violence and threat-related occurrences and the sharing of information
- To further support the development of local **multi-disciplinary partnerships and Community Threat Assessment (TA) Protocols**

**Reliable data** is essential to respond effectively to school-related safety concerns. Key data may include

information on school climate/culture, worrisome behaviours, incidents of violence, shifts in behavioural baselines and concerning digital/online behaviours. These data are an essential component of a safe school strategy and a key focus of this document.

School safety is a **shared responsibility** that requires a commitment to cooperation, collaboration and communication. Schools and police must have a common understanding of each partner's roles and responsibilities, as well as procedures they both agree on and clearly defined decision-making authority.

#### **TERMS AND DEFINITIONS**

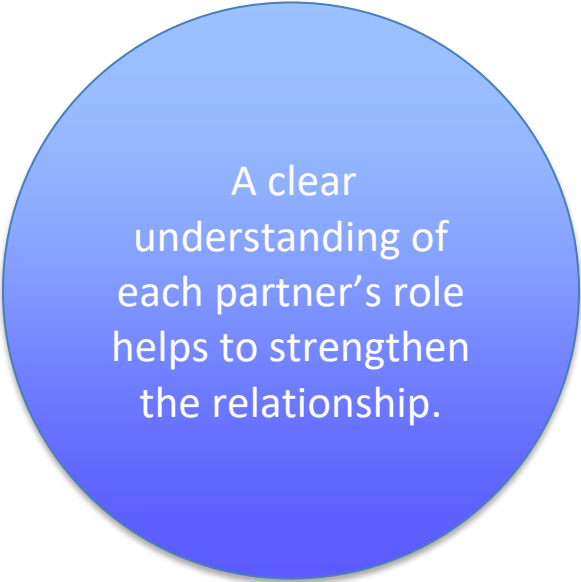
For the purposes of this document:

- **School** refers to a school that is operated by a board of education, the Conseil scolaire francophone or an independent school authority.
- **Board of education** includes the Conseil scolaire francophone de la Colombie-Britannique.
- **Data** refers to all information about an individual intended to construct a reliable assessment of the potential for risk/threat and may include personal information.
- **Evidence** refers to any statement, document, record (including an electronic record), or other physical evidence that is collected for the primary purpose of proving that an individual committed or is about to commit an offence, including evidence collected for the purpose of prosecuting a criminal charge.
- **BDTA** refers to addressing both behavioural and digital baseline concerns in the TA process.

## THE ROLE OF BOARDS OF EDUCATION, INDEPENDENT SCHOOL AUTHORITIES AND POLICE AGENCIES

A clear understanding of each partner's role helps to strengthen the relationship between schools and police agencies. It supports the early identification and disruption of potential harm to self or others by a student or other individual. It allows schools to react effectively in partnership with police agencies to imminent concerns such as lockdowns and hold and secure procedures. Together, schools and police can use a variety of resources to understand threat indicators, investigate them collaboratively, and develop a planned response.

This document describes the roles police agencies and the school community play in the Threat Assessment (TA) process.



A clear understanding of each partner's role helps to strengthen the relationship.

### BEST PRACTICES

Boards of education and independent schools should include police agencies and other key community agencies in *erase* Threat Assessment (TA) training sessions.

### Public Schools and School Districts

In British Columbia, the provincial government and 60 school districts, each with a locally elected board of education, share responsibility for the **public education system**. The Ministry of Education and Child Care develops high-level education legislation and policy, while boards are responsible for the overall operation and management of schools and have substantial autonomy to determine local policy. Board of education employees, including superintendents, secretary treasurers, school principals, vice principals, directors of instruction and teachers, have specific responsibilities and authorities under the [School Act](#) and [School Regulation](#) for managing schools and supervising students.

Under **the School Act**, boards of education may:

- Establish local policy for the effective and efficient operation of schools
- Establish a code of conduct for students enrolled in educational programs provided by the board
- Temporarily close schools if the health and safety of students is endangered
- Direct individuals to leave and remain off school property if they disturb or interrupt proceedings or an official school function

The provincial [Safe and Caring School Communities policy](#) is a resource for boards of education to use to achieve safe and caring schools. It includes the following:

- District safe school coordinators and teams
- Codes of conduct
- On-line reporting tools
- Community Threat Assessment Protocols

## Independent Schools

**Independent schools** are operated by an authority responsible for overseeing their operations, including staffing, policies, and major decisions of philosophy and vision. In this regard, an authority is akin to a board of education.

Independent schools are certified by the **Inspector of Independent Schools** under the [Independent School Act](#), which sets out the governance structure and funding formula for independent schools. The Act requires that independent schools comply with the enactments of British Columbia and those of the municipality or regional district where the schools are located, including fire and building codes. The inspector also requires that independent schools have a designated safe school coordinator, and develop policies regarding:

- Emergency drills and procedures
- Student safety
- Harassment and bullying prevention
- Student supervision

## Police in Local Communities

Police endeavour to develop and maintain relationships with local public and independent schools, parents (that is, legal guardians or custodial parents), and youth to support the positive development of the school community and the community as a whole. Police develop these relationships by:

- **Assuming responsibility** for student and community safety in an emergency
- Participating with local schools, school districts and other community partners in **TA training** and on multi-disciplinary teams to address student safety
- Communicating (if appropriate) with school officials when a **criminal investigation** involving students and/or the school environment is ongoing in order to assist with TA protocols, safety and intervention plans
- Supporting **victims of crime**
- Providing information on **community safety concerns** to schools, district staff and community partners
- Engaging in **prevention activities** with schools, district staff and community partners





## THREAT ASSESSMENT (TA)

Threat Assessment (TA) is the process of determining if an individual is on the pathway to engage in serious violence and/or cause harm to self or others.

The overarching goal of TA is the early identification of young people in emotional pain and/or on the pathway to engage in serious violence and harm to self or others. Threat Assessment helps schools and communities take a proactive approach to school safety by developing, training and preparing collaborative multi-disciplinary TA teams with expertise in early intervention, prevention and response strategies. The TA process identifies risk and guides interventions and supports for young people who need them.

Most TA cases involve social media platforms, such as Instagram, YouTube, TikTok, Discord, Telegram, text-based apps and others. Threat Assessment teams need to be proactive in intervening in worrisome, concerning and threat-related behaviours before they escalate to violence or suicide. Good collaboration between school, parent(s)/guardian(s), and law enforcement is essential in addressing issues that may seem unconnected but are part of an ongoing situation that occurs in person, online or in the community. Parent(s)/guardian(s) and professionals need to understand that some issues start at school and finish in the community. They also need to realize that many issues, including inappropriate internet use and texting, may begin at home and end at school.

The TA Response Plan focuses on three steps that incorporate a multi-disciplinary approach to address and respond to worrisome and threat-related behaviour.

Given the number of TA cases that involve a digital presence, the digital component can no longer be seen as optional but must be strategically integrated into the TA process, ensuring that both the behavioural and digital baseline concerns of a subject of concern (SOC) are considered.

**Note:** The erase strategy provides training in the Behavioral and Digital Threat Assessment (BDTA) model.

## 3-Step Behavioural and Digital Threat Assessment (BDTA) Response Plan

### STEP 1: SCREENING (Identify)

- Conduct Screening
- If data reported indicates imminent intent to harm, follow *Initial Safety Considerations for Immediate Risk Reducing Interventions* (on next page) and then complete Step 2: Comprehensive Multidisciplinary BDTA
- If no intent to harm, then complete Step 1: Screening documentation only

### STEP 2: COMPREHENSIVE MULTIDISCIPLINARY BDTA (Assess)

- Conduct BDTA
- Consider community multidisciplinary involvement
- Identify risk and protective factors in the Six Domains
- If risk is identified, complete Step 3: Threat Intervention & Management Plan

### STEP 3: THREAT INTERVENTION & MANAGEMENT PLAN (Manage)

- Complete the Threat Intervention & Management Plan utilizing the data gathered in Step 2
- Review the Threat Intervention & Management Plan as per the agreed upon progress monitoring plan

### THREAT ASSESSMENT REMINDERS

Make sure all students are safe. Identify and locate the Subject of Concern (SOC) and if possible, move them to a safe and supervised location - this allows for initial data collection (i.e. backpacks, locker checks, digital devices, etc.) If the SOC's location is not known, consider communication with the parent/guardian and law enforcement immediately. Also consider geolocation to try to assist in identification of current location.

*For more information, refer to Appendix A. The information provided regarding the 3-Step Behavioural and Digital Threat Assessment (BDTA) Response Plan is not a replacement for TA training.*

Digital threat assessment is the missing link in violence prevention and behavioural threat assessment. Research by Theresa Campbell, Founder/Chief Executive Officer of Safer Schools Together, indicates that digital threat assessment must be utilized in all assessments – without it, we do not have an accurate initial assessment of the level of risk. Schools and districts with trained TA teams work from this premise. Pre-incident data is often available to help school principals, counsellors, police, and others intervene and prevent serious violence. Police involvement in the TA process helps schools complete the initial incident screening process to determine the level of risk.



Digital threat assessment is needed to ensure an accurate level of risk.

For more information on the TA process, please refer to Appendix A.

Additional partners in the TA process include the Ministry of Children and Family Development (Child Protection, Child and Youth Mental Health, Youth and Family Services and Youth Justice), Regional Health Authorities, Integrated Child and Youth (ICY) Teams, and other community and government agencies.

#### **BEST PRACTICES**

All public schools and independent schools, as part of the *erase* strategy, should **participate in Threat Assessment (TA) training** along with local police agencies and other key community partners.

### School-Related Occurrences Requiring Police Involvement That May Initiate a TA

A variety of situations call for schools to initiate a TA and request police participation. Although not an exhaustive list, situations such as the following will lead to a TA. Schools should ensure police participation in an immediate response to the situation and in follow-up TA processes.

- Serious violence or violence with intent to harm or kill
- Gang-related intimidation and violence
- Intimate partner or relational violence
- Indicators of suicidal plans or attempts, including homicidal ideation
- Verbal or written threats to harm or kill others
- Threats made via social media to harm or kill others
- Weapon possession (including replicas)
- Bomb threats (including possession or detonation of explosive devices)
- Fire setting
- Sexual assault, intimidation, exploitation or extortion (sextortion)

- Hate incidents motivated by factors including race, colour, ancestry, place of origin, religion, marital status, family status, diverse abilities, sex, sexual orientation, gender identity or expression, or age
- Section 28 *Mental Health Act* apprehension

**If your school faces any of the situations listed above, call police for assistance.** Follow up the police intervention with the TA process as soon as circumstances permit.

For a principal's checklist for immediate threat/high-risk behaviour, please refer to Appendix C.

For a summary of relevant legislation, please refer to Appendix D.

### Predictable Time Frames for Increased Threat-Related Behaviour.

- Social media coverage extends the time frame following a high-profile trauma
- Prior to any school breaks, and particularly the December break
- Specific dates that mark when local traumatic situations or local high-profile traumas occurred
- Periods of rekindled trauma: when a high-profile trauma causes symptoms to intensify in those who experienced similar trauma
- Local trauma triggers unique to individual school and community systems (for example, the smell of smoke in a community after fire devastation)

#### **BEST PRACTICES**

School staff should be aware that the potential for threatening behaviour can increase during these time frames.

## ISSUES REQUIRING RESPONSE

Issues that raise concerns in schools may require a range of responses, whether involving TA, police or other activity. This section outlines some common issues and potential responses.

### Immediate Risk Situations

**When an imminent risk is identified, call 911 and immediately activate the school safety plan.**

Issues of concern require a range of responses from immediate action to information sharing.

The TA team will **not** undertake a formal threat assessment until the situation has been stabilized.

For further information on planning for school safety, please refer to the [Emergency Management Planning Guide for Schools, Districts and Authorities](#).

### Worrisome Behaviours

Worrisome behaviours are those that cause concern for members of the school and/or police agencies because of their **violent content**. They may be an early warning sign of more serious high-risk behaviours. Worrisome behaviours are specific to the individual and may include drawing pictures, writing stories, or making vague statements that do not necessarily constitute "uttering threats" as defined by law but cause concern for some members of the school, family or community. It is important to determine if the worrisome behaviours represent a shift in baseline behaviour.

In many cases, following up on worrisome behaviours results in effective early intervention measures.

#### BEST PRACTICES

School principals should ensure that teachers, support staff and other members of the school community **understand what constitutes worrisome behaviour** and the importance of **reporting signs** of worrisome behaviour.

## Non-School Hour Cases

Many evening or weekend incidents continue into school the next day. Open communication from police to the TA team helps identify and respond to these incidents. This has proven especially useful in youth crime and gang-related cases.

See YCJ Section 125(1) and 125(6) in the Quick Reference Guide to Relevant Legislation Appendix D.

### BEST PRACTICES

Schools should call police when they receive information regarding serious violence, weapons possession, a threat or any other immediate risk situation during non-school hours.


The TA team should **initiate** a formal TA if the situation has the potential for ongoing risk to members of the school community.

## Criminal Charges

Police will take the lead in any TA involving a criminal investigation. Threat Assessment members will continue to support the police investigation. TA members may continue to collect data related to the threat assessment if their activities do not interfere with the police investigation.

### BEST PRACTICES

If TA members continue to collect data, they should **maintain independence** from the police investigation so that they are not considered “agents of the police.” Any relevant information should be reported to the police.



Police will take the lead in a criminal investigation. Threat Assessment members will support the police.

## Awareness of Cultural Bias/Safety

Members of some cultural groups may experience multiple stressors, such as poverty, racism, discrimination, and language barriers. These factors, along with possible distrust of authority figures, may increase the level of perceived or actual risk. Every effort will be made to consider the ethnic or cultural identity of the student or family.

### BEST PRACTICES

When conducting a TA, team members should be aware of **cultural bias** resulting from:

- The **behaviours** being assessed (individuals from one cultural group may present differently from individuals who belong to a different cultural group)
- The content and phrasing of **questions** (language and culture may influence interpretation by either the interviewer or the respondent)

Team members should **consider the ethnic and cultural identities** of students and families, and where necessary request additional assistance from Indigenous, First Nation and racialized communities to facilitate effective and sensitive communications.

## Occurrences Involving Students with Disabilities and Diverse Abilities

Individualized planning for students with disabilities or diverse abilities requires school teams to compile information and assessments related to the student's educational needs. This information can be helpful when assessing shifts in baseline behaviour that may require the activation of the TA process. For example, some students with disabilities or diverse abilities may engage in threat-related or aggressive behaviours that are typical to their baseline behaviour and would not require activation of the TA process.

The same dynamics that can increase the risk of violence in the general student population can also contribute to the violence potential of students with disabilities or diverse abilities, independent of a diagnosis.

### BEST PRACTICE

The TA team should **call on staff members** from the school and district level who have responsibility for program planning and service delivery to students with disabilities and diverse abilities. They can act as consultants and expert advisors in the TA process.

## Student Suspension

Suspension of a student may increase their feelings of justification to carry out an act of violence or suicidal thought.

### BEST PRACTICES

The school principal should initiate the TA process **before removing a student from the school environment**, unless the student poses an imminent safety risk.

The principal should ensure that a trusted adult at the school **maintains contact** with the suspended student if it is not safe for the student to be at the school.

## Fair Notice

Staff, students and parents/guardians must be aware that a school uses a TA process to reduce the risk of violence in the school. When they know that the process exists and how to report concerns, they can contribute information that would otherwise be missed. They should also understand that no action will be taken against someone who reports a concern in good faith. However, there may be consequences for malicious reporting.

Giving fair notice of the TA process and its justification also protects the legitimate privacy rights of individuals. This will include limiting the collection to information that is relevant and necessary to address a risk or threat and by ensuring that information collected from an online source is only obtained from open source sites. Schools and school districts will not collect information as part of a threat assessment unless there is reason to believe that a risk exists. Information collected as part of a threat assessment may be provided to police agencies in appropriate circumstances.

### **BEST PRACTICES**

At the beginning of the school year, the school should give students, staff, and parents/guardians “fair notice” that the school will use a process to collect and assess information about threats of violence, including:

- Notice that violence and threats of violence will not be tolerated
- General messaging about the TA process
- Notice that the TA process is used provincially

The school should advise students, staff, and parents to promptly report high-risk or threat-related behaviour to the school principal, a school designate or the police.

For more information on fair notice, please refer to Appendix F.



## RESPONSIBLE SHARING OF INFORMATION

Increasingly, governments, schools, police, and other service providers are working collaboratively to share pertinent information about individuals who may pose a risk of harm to themselves or others. Collaborative multidisciplinary teams can help ensure public safety, timely intervention, and support.

If there is imminent danger to an individual's health or safety, federal and provincial **laws allow disclosure of personal information** to police, next of kin, school officials, health care workers and others.


- The information can be disclosed **without consent**.
- **If information has been disclosed** without consent, the individual must be advised with whom the information was shared, as required by law, except in circumstances where notification would compromise an ongoing criminal investigation.

As part of their obligation to maintain safety in schools, the school or school district may share information with police about students who pose a threat of violence. However, they should identify the purpose for the disclosure and limit the disclosure to what is necessary in order to deal with the safety issues.

A school or school district can share personal information about a student with police when they are part of a TA if the purpose for sharing the information is to assess the risk of a threat of violence involving the student.

Information can also be shared with police if the school or school district determines that compelling circumstances exist affecting any person's health or safety, including threats of self-harm or to harm others. In such a case, a notice of the disclosure must be sent to the parent or legal guardian of a threat-maker and to the parents/guardians of the target of a threat, provided disclosure does not jeopardize a police investigation.

If the police are conducting an investigation, disclosure of relevant information to them is authorized under legislation.




If there is imminent danger, laws allow the disclosure of personal information without consent.

### BEST PRACTICES

Schools should ensure that principals, teachers and staff know that they have **the right, and in some cases the obligation, to share information** responsibly in order to assess and avoid a risk of violence.

When disclosing personal information, school personnel should **limit disclosure** to what is necessary in order to deal with the safety issues and **identify the purpose** for the disclosure.



Subject to police investigation requirements, school personnel should give **notice to the student** involved that their personal information has been shared, and why, and give notice of the disclosure to the parent or legal guardian.

Schools should **consult legal counsel** if there is a question as to whether authority to disclose information exists, except in cases of imminent danger.

For more information on legislation supporting information sharing, please refer to Appendix D.

## NOTIFICATIONS

### Parent/Guardian Notification –Subject of Concern

Parent/guardian notification is meant to help parents/guardians and school officials collaborate to assess a subject of concern more fully **and plan for intervention**.

#### BEST PRACTICES

A parent/guardian of the subject of concern should be **notified at the earliest opportunity** by the agency considered most appropriate in the circumstances, except as noted in the Delay of Notification section below.

Notification should occur after the TA process has confirmed a threat or violent incident has occurred and has determined the potential for violence.

\*If the TA team feels it would cause greater harm at this time, document the rationale for the delay.

### Delay of Notification – Child Protection Concerns

If a student discloses child abuse during the TA process, consultation with child protection workers with the Ministry of Children and Family Development (MCFD) will help determine the appropriate time to notify a parent/guardian. MCFD may opt to notify a parent/guardian themselves as part of their child protection investigation.

#### BEST PRACTICES

If a student discloses child abuse during the TA process, the TA team should **delay notification** until the Ministry of Children and Family Development has determined an appropriate response.

Notification is meant to help parents/guardians and school officials work together and plan for intervention.

## Potential Victim Notification

Police should lead any criminal investigation, including threats of violence. In relation to threats and as part of an investigation, police will determine when to notify the intended victim and their family what steps are being taken, including any safety measures being considered. This notification may also include information relating to support, counselling, and other available support services.

The information may be distressing, and **emotional support** may be necessary to help the potential victim and their family respond in a healthy and productive way.

### BEST PRACTICES

If a threat of violence has been made or is suspected, police should be informed as soon as possible. Police will consider notifying the intended victim and their family as part of their investigation.

## Post-Secondary Institutions Notification

When a TA team expects that a student of high risk will leave the school to attend a post-secondary institution, the team may share information about potential risks of threatening behaviour in order to help the institution prepare and respond to the risk. The *Freedom of Information and Protection of Privacy Act*, section 25, requires that personal information regarding a risk of significant harm to the public, a group or people be disclosed to the public or an affected group of people.

Many post-secondary institutions have teams trained in the TA process and may be able to continue interventions to support the student and reduce the risk of harm.


### BEST PRACTICES

When a person of concern is moving to another institution, TA teams should consider whether the institution should be informed of the student's history and any appropriate interventions.

## SUPPORT FOR VICTIMS

Threat Assessment team members need to have authority to **offer or recommend supportive services** for victims of violence or targets of a threat of violence. To the greatest extent possible, support services and interventions should be culturally appropriate and accessible to the victims.

- **Police-based victim services** provide services to victims of crimes.
- **Community-based victim services** provide services to victims of family and sexual violence. Community-based victim services can be accessed without an incident report to the police.



Team members should consider culturally appropriate supportive services for victims.

### BEST PRACTICES

Clinicians on the TA team (e.g., psychologists, therapists or counsellors) should ensure that victims of violence and recipients of threats are provided with **appropriate support and services**. These may include either police-based or community-based victim services.

The clinician should consider, within the limitations of the community, how to ensure supportive services and interventions are **culturally appropriate and accessible**.

## SCHOOL AND POLICE INVESTIGATIONS

### Police Involvement in Student Interviews

Unnecessary publicity regarding threats of violence can hamper an investigation and cause emotional distress for victims or witnesses. It can also frustrate attempts to intervene and de-escalate a threat, and lead to inaccurate or harmful information circulating in the community.

When being interviewed by police, a student who is a subject of concern, a victim or a witness may request that an adult be present, although this may not always be possible.

Investigations involving police interviews with students require special sensitivity.

#### BEST PRACTICES

In situations when interviews by police take place at the school, the school will strive to maintain low-profile interactions between students and police. The principal should ensure that an appropriate space is available to ensure greater confidentiality.

Police interviews on school premises should observe the following guidelines:

#### Subject of concern

- A parent/guardian of a subject of concern must be notified, except in situations that would compromise safety, integrity and continuity of an investigation.

#### Victim or witness

- Parents/guardians of victims or witnesses should be notified, as soon as practical, that their child has been interviewed in connection with a threat assessment.
- At the police discretion, and with the student's consent, school personnel may be present for the interview to provide support to a student who is a victim or witness.



## TA Parallel Process

Legal processes may exist parallel to the TA process if a subject of concern is in custody or under investigation for a criminal matter. The police may, therefore, come into information regarding a threat that is relevant to a TA or to school safety.

If a subject of concern is in custody, the release of information may be essential for school personnel to implement safety measures.

### **BEST PRACTICES**

Police should share safety concerns with school personnel to allow the school to take appropriate measures regarding a known threat.

Similarly, if appropriate, if a subject of concern is in custody, police should share release information with the school.


## SEARCH AND SEIZURE

The *School Regulation*, section 5 (7), provides that the principal is responsible for administering and supervising the school, including the general conduct of students and the discipline of students. This section of the school regulation provides authority for searching a student's locker and desk, both for gathering evidence for use in the prosecution of a criminal charge and for ensuring the safety of the school, students and staff.

Common law, statute law and the Charter of Rights and Freedoms provide police with authority for search and seizure. The protection against unreasonable search or seizure depends on assessing all the circumstances, including the Charter. In general, the validity of a search or seizure takes into consideration the following:

- The expectation of privacy
- Whether the conduct amounted to a search and/or seizure
- Whether the search and/or seizure was reasonable

For more information on search and seizure, please refer to Appendix G.



Laws give both schools and police authority for search and seizure in certain circumstances.

### Locker Searches

Evidence of planning has frequently been found in the school locker of the subject of concern. Evidence of planning may also be found in backpacks, desks, textbooks and student vehicles.

Where there are reasonable grounds to suspect that a student is planning to compromise the safety of students, the school or the staff, school administration can search a locker for evidence of pre-planning, a plan or the means to carry out a threat.

#### **BEST PRACTICES**

The principal should notify students that desks and lockers are school property and that, in certain circumstances, a search may be performed by the school administration.



## Search of Vehicles on School Property

School personnel might notice items that raise a concern in a vehicle on school property. In such a case, they should contact the police. There may be legal issues regarding the right to search and seize a vehicle unless an imminent threat is apparent.

### BEST PRACTICES

If school personnel view items that raise concerns in a vehicle, they should contact police. If there is no imminent threat, they should attempt to monitor the situation until police provide further direction.

## Social Media Evidence and Digital Data Searches

Evidence and data are often found on digital devices. Schools can request searches of student digital devices but students can refuse to comply. Schools and school districts can only undertake the collection of digital information in compliance with privacy laws.

There is no expectation of privacy regarding content that has been posted publicly on social media with no user privacy settings restricting view. The evaluation of publicly posted digital data and data on devices may be essential to an assessment of risk. Information collected as part of a threat assessment should be provided to police agencies. Police agencies employ technological crime experts who can assist. Forensic searches of devices may be necessary, but they can take time.

### BEST PRACTICES

School personnel should report to police any threat-related information that they find on digital devices as part of a threat assessment.

School personnel should take steps to preserve and protect evidence found on digital devices. Whenever feasible, they should save screenshots of images or posts of publicly available online data with time and date stamp embedded.

## Preservation Orders and Production Orders

Police can obtain **preservation orders** to require private companies to preserve and retain data that is related to an investigation.

**Production orders** are used when police may be required to gather evidence of subscriber data from social media providers, such as files involving statements made on Snapchat. A production order is a type of search warrant that can compel a social media provider to produce documentation to a specified police officer, at a specified time and place. There must be reasonable grounds to believe an offence has

been, or is suspected to have been, committed and the document or data will afford evidence of the offence.

## Digital Searches in Exigent Circumstances

Exigent circumstances exist when there is threat of imminent bodily harm or death to a person, or imminent loss or destruction of evidence. Investigating officers are permitted to intervene, and search and seize without a warrant, in exigent circumstances.

Exigent circumstances can also exist when assessing online threats or dangerous situations. Investigating officers must decide if an imminent threat exists. For example, exigent circumstances may justify a digital search and seizure if a student makes an online threat with a Snapchat photo showing a gun and a threat to use it that day.

### BEST PRACTICES

Police investigators can use the power authorized in exigent circumstances to search, seize and preserve digital evidence without a warrant when required.

In an investigation that involves digital evidence, police investigators should consider obtaining a preservation order requiring social media companies to preserve digital information relating to an offence.

## Report to Crown Counsel

If police decide to recommend a charge against an accused, the officer will complete a detailed Report to Crown Counsel (RTCC). Police may need statements by school staff to complete the RTCC.

Crown Counsel will review the RTCC and will decide whether or not to lay charges. Crown Counsel may also decide to refer the matter to extrajudicial alternate measures for non-violent offences under the *Youth Criminal Justice Act*, such as a caution or a referral to a specialized program.

### BEST PRACTICES

Police agencies should liaise with the TA team and school staff to investigate the circumstances of a threat, to assess possible charges, and to consider whether a recommendation for alternate measures would be in the best interests of the school community and the subject of concern.

For more information regarding potential charges and the RTCC, please refer to Appendix B.



## Peace Bond

A judge can issue a peace bond, also known as a Section 810 recognizance, requiring a person to keep the peace and be of good behaviour. The peace bond can prohibit the person named from contact with certain individuals and from carrying weapons. A peace bond can be valuable when investigating a threat or intervening with a person of concern.

Usually, the police recommend a charge for a substantive offence. The Crown may request that a judge issue a peace bond. In rare circumstances, the police may request a peace bond directly.

### **BEST PRACTICES**

When recommending a charge for an offence, the police should consider recommending that Crown apply for a peace bond if they believe that it would be useful in dealing with a subject of concern (SOC) .

For more information regarding peace bonds, please refer to Appendix B.



## Release

A person in custody can be released with or without conditions. An appropriate set of release conditions can help reduce risks to the school community. Police can recommend conditions in the Report to Crown Counsel for the Crown to present to the judge or justice.

### **BEST PRACTICES**

If a subject of concern is in custody, the police should consider making a recommendation to Crown Counsel regarding release conditions to reduce risks to the school community.

For more information regarding release conditions, please refer to Appendix B and Appendix H.

## Threat Assessment Documentation and Record Keeping

Documentation of TAs, in addition to individually administered aptitude tests, confidential reports, and other sensitive materials, are personal information subject to the [Freedom of Information and Protection of Privacy Act](#) and the [Personal Information Protection Act](#). They may also be evidence in legal proceedings. As such, they should be maintained in a secure and confidential folder.

### **BEST PRACTICES**

The TA team should place all reports and other sensitive material or documents in a folder under supervision of the school principal or designate of the superintendent.

The school or school district should retain the records in accordance with its records management policies.

## SCHOOL SAFETY REGARDING THREATS

For a detailed guide to procedures in a school safety emergency, please refer to the [Emergency Management Planning Guide for Schools, Districts and Authorities](#).

### Lockdown

Lockdown procedures are used to prevent intruders from entering occupied areas of a building or when it is necessary to isolate staff and students from a danger outside or within the building. These could include active shooters or dangerous intruders. Staff and students are restricted in their movements to a specific area, which is then protected by locking exterior and classroom doors and covering windows. There may be other areas of the school that are capable of being locked down and these may also be designated as lockdown locations.

#### BEST PRACTICES

Schools should ensure that all personnel and students know what to do in the event of a lockdown or threat.

### Hold and Secure (Lockout)

A hold and secure (lockout) order is used when it is necessary to secure a school from an emergency situation occurring outside the school. The exterior doors are locked and monitored to allow students and staff to enter, but otherwise, the doors remain locked. Once inside, no one leaves the building. An active police incident in the neighbourhood could trigger a hold and secure.

#### BEST PRACTICES

Schools should ensure that all personnel and students know what to do in the event of a hold and secure.

Principals should confirm with local police when it is safe to lift the hold and secure.

### Conducting Drills

Principals are responsible for the safety of their students in the event of an emergency, threat or disaster. They must ensure a school-based plan is in place. During an emergency, the principal or designate is the person in charge at the school. They are expected to maintain order and ensure that students can return safely to their parents or guardians.

Conducting drills on a regular basis helps ensure that all personnel know their roles and can carry them out effectively. Drills also identify aspects of the school-based plan that need revision.

#### **BEST PRACTICES**

Principals should ensure a school-based safety plan is in place.

The Ministry of Education and Child Care recommends that schools conduct two lockdown drills per year.

### Procedures for Anonymous Threatening Communications (ATCs)

Anonymous threatening communications are typically threats to commit a violent act against one or more individuals, a specific group or a site such as a school. While the lack of ownership or authorship of the threat may indicate a lack of commitment, an anonymous threatening communication should be considered for a serious school-based threat assessment.

#### **BEST PRACTICES**

If a school, student or school personnel receives an anonymous threatening communication, the school should:

- Immediately assess the anonymous threatening communication
- Attempt to identify the threat maker
- Avoid or minimize the crisis/trauma response
- If warranted, call police

If the threat is considered credible but not imminent, the school should initiate a TA response.


### Media

Police and school officials should work together to devise a communication plan. Police are responsible for addressing the media with respect to any criminal incident, including public safety concerns and police response to the incident. School and district personnel are responsible for dealing with media on issues pertaining to staff and student safety.

#### **BEST PRACTICES**

To deal with media in a crisis situation, schools should:

- Identify one person to answer all media calls in the school/district. This person is responsible for taking media phone numbers, names and deadlines.

- 
- Identify one spokesperson to handle all media enquiries. This person needs to be confident in speaking to the media and able to stick to key messages.
  - Develop key speaking points that can be shared publicly. Media can assist in clarifying facts and providing information to parents/guardians.
  - Work closely with police on media issues. Coordinated and consistent messaging is essential to ensure public confidence.



## CONCLUSION

Together, police agencies and school personnel play a vital role in community threat assessment. Threat Assessment relies on multi-disciplinary teams that focus on early intervention, prevention, assessment of risk and provision of ongoing support for individuals. It includes partnerships with other community service providers, such as child protection, child and youth mental health, youth and family services and youth justice. The process allows community partners to share information about individuals who pose a significant risk to themselves or others.

Positive, cooperative and collaborative working relationships between school personnel and police agencies ensure a clear understanding of partner roles and responsibilities, the various safety issues that require a response by schools and/or police, and best practice approaches to deal with them effectively.



## APPENDICES

### APPENDIX A: OVERVIEW OF THE BEHAVIOURAL AND DIGITAL THREAT ASSESSMENT (BDTA) PROCESS

#### 3-Step Behavioural and Digital Threat Assessment (BDTA) Response Plan

##### STEP 1: SCREENING (Identify)

- Conduct Screening
- If data reported indicates imminent intent to harm, follow *Initial Safety Considerations for Immediate Risk Reducing Interventions* (on next page) and then complete Step 2: Comprehensive Multidisciplinary BDTA
- If no intent to harm, then complete Step 1: Screening documentation only

##### STEP 2: COMPREHENSIVE MULTIDISCIPLINARY BDTA (Assess)

- Conduct BDTA
- Consider community multidisciplinary involvement
- Identify risk and protective factors in the Six Domains
- If risk is identified, complete Step 3: Threat Intervention & Management Plan

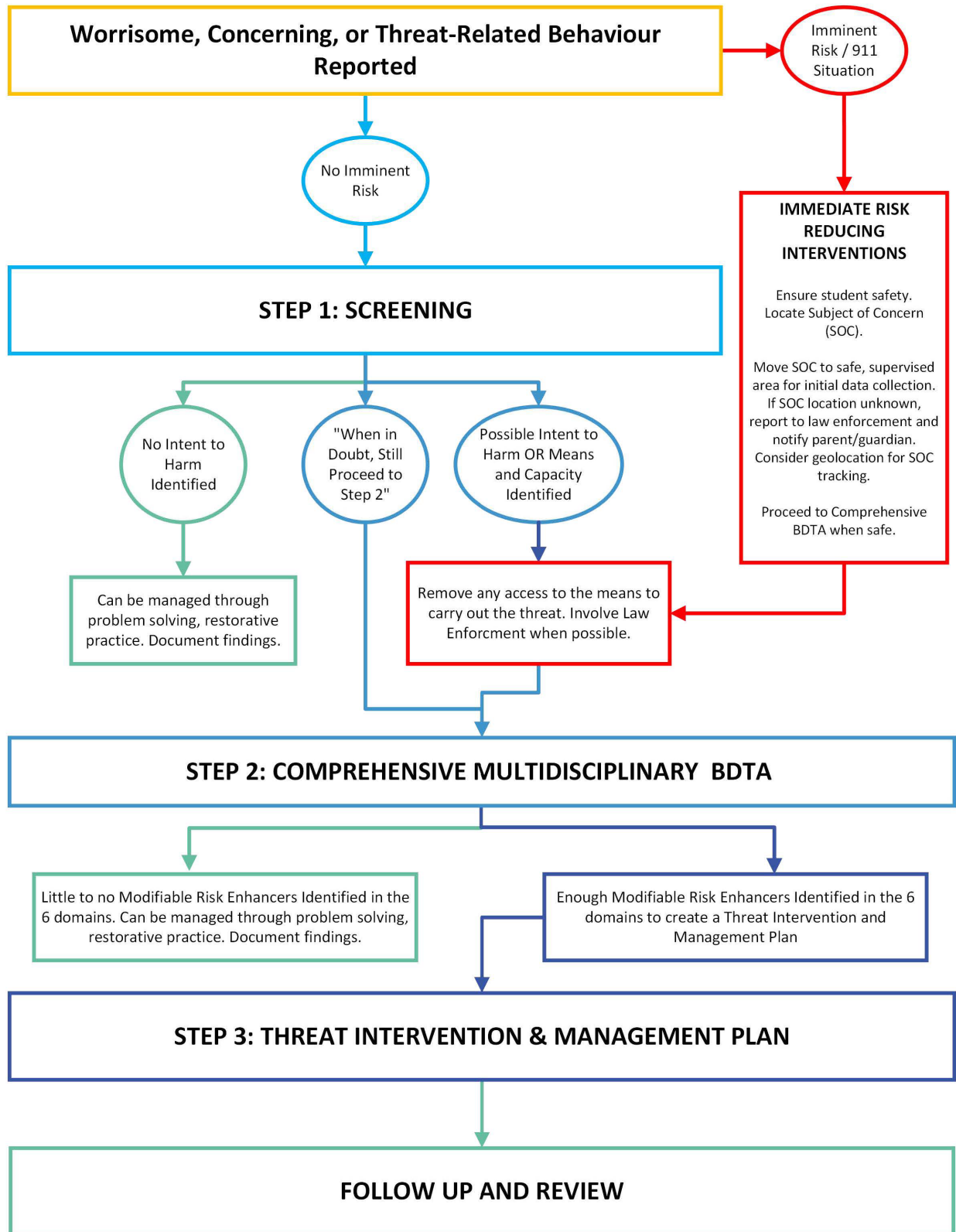
##### STEP 3: THREAT INTERVENTION & MANAGEMENT PLAN (Manage)

- Complete the Threat Intervention & Management Plan utilizing the data gathered in Step 2
- Review the Threat Intervention & Management Plan as per the agreed upon progress monitoring plan

#### THREAT ASSESSMENT REMINDERS

Make sure all students are safe. Identify and locate the Subject of Concern (SOC) and if possible, move them to a safe and supervised location - this allows for initial data collection (i.e. backpacks, locker checks, digital devices, etc.) If the SOC's location is not known, consider communication with the parent/guardian and law enforcement immediately. Also consider geolocation to try to assist in identification of current location.

## Overview of The BDTA Process



## APPENDIX B: QUICK REFERENCE GUIDE FOR POLICE AGENCIES DEALING WITH YOUTH THREAT-RELATED BEHAVIOUR

### Threat Assessment (TA)

Police are primary partners for schools in addressing school threat-related safety concerns and participating in TA processes. Multidisciplinary assessments are required to determine accurate initial levels of risk and appropriate intervention. Behavioural and digital threat assessment is the missing link in violence prevention and behavioural threat assessment. Digital threat assessment must be utilized in all assessments—without it, we do not have an accurate assessment of the level of risk. Police involvement in the TA process helps schools complete the initial incident screening process to determine the level of risk.

**Note:** Determine if you have an officer trained in TA. Police agencies should maintain call-out lists for TA-trained members.

### 3-Step Threat Assessment (TA) Response Plan

The 3-Step TA Response Plan focuses on three steps incorporating a multidisciplinary approach to address and respond to worrisome, concerning or threat-related behaviour.

#### Step 1: Screening (Identify)

- Conduct Screening
- If data reported indicates imminent intent to harm, implement immediate risk-reducing interventions and then complete Step 2: Comprehensive Multi-disciplinary TA.
- If no intent to harm, then complete Step 1 Screening documentation only.

#### Step 2: Comprehensive Multi-disciplinary TA (Assess)

- Conduct TA.
- Consider community multi-disciplinary involvement.
- Identify risk and protective factors in the Six Domains.
- If risk is identified, complete Step 3: Threat Intervention and Management

Plan

#### Step 3: Threat Intervention & Management Plan (Manage)

- Complete the Threat Intervention & Management Plan utilizing the data gathered in Step 2.
- Review the Threat Intervention and Management Plan as per the agreed-upon progress monitoring plan.

### The Pathway to Violence

Grievance/Injustice - Risk Enhancers – Ideation – Planning - Preparation - Violence

- Does someone potentially pose a risk, or do they pose a threat?
- Most K-12 students enter the pathway due to a grievance or injustice.
- A smaller percentage of students in K-12 enter the pathway because they want power and control, want notoriety, or become engaged with ideological belief groups.

### Locker and Bedroom Searches

Evidence of planning has frequently been found in the subject of concern's locker at school, their bedroom, or both. Planning may also be found in backpacks, desks, textbooks, student vehicles, and online. Schools may have already checked the locker for evidence of pre-planning, a plan, or the means to carry the threat out.

Query the person of concern and all associated addresses on CPIC, PRIME and through MCFD and Youth Probation to determine the level of previous police contact and any history of possession and use of firearms or other weapons. If needed, consider search and seizure powers under the *Firearms Act* and the *Criminal Code*.

A criminal investigation does not prevent other TA team members from collecting further data relative to the threat assessment, including a history of prior target selection, site selection and

determining the previous behavioural baseline. School teams have been trained to ensure the priority of the criminal investigation throughout the TA process. The totality of this information will support the determination if there is a need to search without warrant (consent search), obtain a search warrant or consider if exigent circumstances exist.

**Note:** If weapons are found consistent with the threat, consider the file high risk with presence of exigent circumstances.

When there are “exigent circumstances,” a police officer may forgo the requirement of a search warrant. The protections of s.8 *Canadian Charter of Rights and Freedoms* are “circumscribed by the existence of the potential for serious and immediate harm.” Exigent circumstances inform the reasonableness of the search (s529.3).

S.487.11 *Criminal Code* – A peace officer, or a public officer who has been appointed or designated to administer or enforce any federal or provincial law and whose duties include the enforcement of this or any other Act of Parliament, may, in the course of his or her duties, exercise any of the powers described in subsection 487(1) or 492.1(1) without a warrant if the conditions for obtaining a warrant exist but by reason of exigent circumstances it would be impracticable to obtain a warrant.

### **Social Media Evidence and Digital Data**

Evidence and data are often found on digital devices. Schools can request searches of students' digital devices, but students can refuse to comply. It is important to preserve and protect evidence. Screenshots of images or posts of publicly available online data with time and date stamp embedded are always preferable.

Forensic searches of devices may be necessary but can take time.

There is no expectation of privacy from content that has been posted publicly on social media with no user privacy settings restricting view. The evaluation of publicly posted digital data and data on devices is imperative to an assessment of risk.

Exigent circumstances requests can be submitted to social media companies to retrieve data in critical timeframes. If you believe that you will be proceeding with charges, it is important to submit a simple preservation order to these companies. You typically have 90 days to submit a production order/search warrant.

In cyberbullying cases, police officers may need to preserve and access the subscriber data retained by social media service providers. If the companies are based in the United States, this presents a jurisdictional challenge that may sometimes require assistance from other agencies. International assistance treaties and agreements are in place with other police agencies and can be accessed and leveraged during investigations.

### **Parallel Process in TA**


Police will inform school personnel of TA safety concerns in a timely manner. If a person of concern is being taken into custody, consideration for the timeline of release should be shared with school personnel so that adequate safety measures are put in place.

### **Report to Crown (RTCC)**

Some common TA Criminal Code offences involving young people, among others, include:

- Uttering Threats – Criminal Code (R.S.C., 1985, c. C-46) S 264.1
- Conspiracy to Commit Murder – Criminal Code (R.S.C., 1985, c. C-46) S 465
- Possession of Weapons – Criminal Code (R.S.C., 1985, c. C-46) S 92 (1) & (2)
- Counselling Indictable Offence that is not committed - Criminal Code (R.S.C., 1985, c. C-46) S 464(a)
- Assault with a Weapon or Causing Bodily Harm - Criminal Code (R.S.C., 1985, c. C-46) S 267

If police decide to recommend a charge against an accused, the investigator will complete a detailed Report to Crown Counsel (RTCC). The RTCC must clearly articulate reasonable and probable grounds to support the charge. The investigator



must outline the details of the incident and present the elements of the offence. Police may need statements by school staff to complete the RTCC.

Crown Counsel will review the RTCC and will decide whether or not to lay charges. Crown Counsel will consider whether there is a substantial likelihood of conviction and whether a prosecution is required in the public interest. The charges will be described in an information issued by a justice.

Crown Counsel may also decide to refer the matter to extrajudicial sanctions (alternative measures) for non-violent offences under the *Youth Criminal Justice Act*.

### **Peace Bond**

A peace bond, also known as a Section 810 recognizance in the *Criminal Code of Canada*, may be issued by a justice on a balance of probabilities without a person being charged or convicted of an offence. The peace bond imposes conditions on the accused to keep the peace and be of good behaviour and may include not contacting the complainant (directly or indirectly), not attending the complainant's residence or place of work, and not carrying weapons. The conditions are in place for up to one year, and the defendant may be charged with a criminal offence for not obeying the conditions.

### **Release**

An accused may be released without a bail hearing through summons, promise to appear, or appearance notice. Police may request general conditions for release by way of an appearance notice. A judge or justice may decide to release the accused at a bail hearing before the case goes to trial unless custody is required to ensure the accused will attend court or to protect the public. The judge may impose conditions including not contacting the victim or witnesses (directly or indirectly), not attending the complainant's residence or place of work, not carrying weapons, or any other condition considered necessary to ensure the safety of victims or witnesses. Police can recommend conditions in the RTCC for Crown Counsel to present to the judge or justice.

RTCC recommendations for release conditions for threat-makers should be those which ensure public safety, reduce the ability to commit further offences, restrict access to both the site and target(s), and limit exposure to contextual factors or stimuli that could provide further justification and those that ensure improved mental wellness. If charges are not approved, consider a recommendation for a peace bond (fear of serious personal injury) *Criminal Code* s. 810.2

For more information regarding release conditions, please refer to Appendix H.

## APPENDIX C: PRINCIPAL'S CHECKLIST FOR IMMEDIATE THREAT/HIGH-RISK BEHAVIOUR

Recognize that every situation is unique and responses will vary. If the threat is:

- **WRITTEN** - Handle with care and immediately put in a folder to preserve evidence. If possible, take a photo and include something to show size and scale (e.g. a coin or pen).
- **BY EMAIL** - Do not delete email.
- **VERBAL** - Immediately document all details, including specificity of language.
- **IN PERSON** - Proceed using procedures for responding to violent incidents.

Keep the target informed and provide information to staff, students, and parents as necessary.

- **If there is imminent danger, call 911.**
- Ensure the whereabouts of threat maker(s) and target(s) and address any risk factors.
- If necessary, appropriately detain or monitor any student(s) of concern and do not allow access to their cell phones, coats, backpacks, or lockers.
- Check digital behavioural baseline.
- Contact your School Resource Officer (SRO).
- Check locker, desk, cellphone, and other electronic devices.
- Determine if the threat maker(s) has access to a weapon(s). If there is any evidence of accessing means to carry out a threat, advance to Step Two: Comprehensive Multidisciplinary Threat Assessment.

### Checklist -Three-Step TA Response Plan

- Step 1: Screening (Identify)** – plausibility, specificity, behavioural baseline, and attack-related behaviour
- The team contacts SRO and other protocol partner agencies as appropriate.
  - Assess the threat for specificity and plausibility.
  - Determine behavioural baseline.
  - Determine if attack-related behaviours are present.
  - If data reported indicates imminent intent to harm, follow safety considerations for immediate risk-reducing interventions and then complete Step 2: Comprehensive Multidisciplinary TA.
  - If there is no intent to harm, complete Step 1: Screening documentation only.

### Step 2: Comprehensive Multidisciplinary Threat Assessment (Assess)

- Conduct BDTA
- Consider community multidisciplinary involvement.
- Identify risk enhancers and protective factors in the six domains.
- If risk is identified, complete Step 3: Threat Intervention and Management Plan.

### Step 3: Threat Intervention & Management Plan (Manage)

- Complete the Threat Intervention & Management Plan utilizing data gathered in Step 2.
- Review the Threat Intervention & Management Plan as per the agreed-upon progress monitoring plan.

## APPENDIX D: QUICK REFERENCE GUIDE TO RELEVANT LEGISLATION

Legislation	Relevant Points in Noted Legislation
<p><a href="#">Youth Criminal Justice Act</a> (YCJA) <a href="#">s.3</a> – Declaration of Principle (statement of intentions and primary focuses of the Act)</p>	<p>Protect the public by:</p> <ul style="list-style-type: none"> <li>• Holding the young person (YP) accountable through measures proportionate to the seriousness of the offence and the degree of responsibility of the YP</li> <li>• Promoting the rehabilitation and reintegration of the YP committing the offence</li> <li>• Supporting the prevention of crime by referring the YP to programs or agencies in the community to address the circumstances underlying their offending behavior</li> </ul>
<p><a href="#">YCJA s.119(1)</a> – Persons having access to records</p>	<p>Access to records may be given to:</p> <ul style="list-style-type: none"> <li>• The young person to whom the record relates and their lawyer</li> <li>• Attorney General</li> <li>• Victims</li> <li>• Parents of the young person during the course of proceedings</li> <li>• Peace officers</li> <li>• Social workers and youth case workers</li> <li>• A person carrying out a criminal record check for positions requiring government checks</li> </ul>
<p><a href="#">YCJA s.125</a> - Disclosure of Information in a Record</p>	<ul style="list-style-type: none"> <li>• <i>125(1)</i> By peace officers to any person during investigation when necessary</li> <li>• <i>125(6)</i> By schools, care providers and peace officers to any professional or other person engaged in supervision or care of the young person to ensure safety, security and rehabilitation</li> </ul>
<p><a href="#">YCJA s.146</a> – Evidence (admissibility of statements)</p>	<ul style="list-style-type: none"> <li>• Young person’s statements; voluntary; explanation; rights to counsel; right to have parent or counsel present.</li> <li>• Young person status at time of statement; not for persons now 18 years or older</li> <li>• Also, RCMP Operational Manual, national white sheets, chapter 39.4.2</li> </ul>
<p><a href="#">YCJA s.110</a> – Protection of Privacy of Young Persons (publishing of offender identity, photos and other relevant information)</p>	<ul style="list-style-type: none"> <li>• <i>s.110(4)</i> Ex parte application of a peace officer to Youth Court for an Order permitting publication of identity</li> <li>• <i>s. 110(5)</i> The Order, if granted, ceases to have effect 5 days after it is granted</li> <li>• Can publish photos if danger to others and necessary to apprehend</li> <li>• Disclosure if necessary to seek the public’s assistance in locating suspects</li> <li>• No disclosure for shaming or embarrassment purposes</li> </ul>

Legislation	Relevant Points in Noted Legislation
<p><a href="#">School Act s.177</a> – Maintenance of Order</p> <p><b>Note:</b> The <i>Independent School Act</i> does not contain a section pertaining to offences</p>	<ul style="list-style-type: none"> <li>• s.177(1) A person must not disturb or interrupt the proceedings of a school or official function</li> <li>• s.177(2) A person who is directed to leave the land or premises of a school by a principal, vice principal, director of instruction or a person authorized by the board to make that direction <ul style="list-style-type: none"> <li>a) must immediately leave the land or premises, and</li> <li>b) must not enter on the land and premises again except with prior approval from the principal, vice principal, director of instruction or a person who is authorized by the board to give that approval</li> </ul> </li> <li>• s.177(3) A person who contravenes subsection (1) or (2) commits an offence</li> <li>• 177(4) A principal, vice principal, director of instruction of a school or a person authorized by the board may, in order to restore order on school premises, require adequate assistance from a peace officer</li> <li>• A principal of an independent school can seek assistance from a peace officer when necessary</li> <li>• This section only covers persons who are <b>not</b> students or staff</li> </ul>
<p><a href="#">Criminal Code</a> – Exigent Circumstances for Warrantless Searches</p>	<p>Exigent circumstances inform the reasonableness of the search and may justify the absence of prior judicial authorization in the presence of imminent risk of harm.</p> <ul style="list-style-type: none"> <li>• <a href="#">s.487</a>– Warrant to search for and seize items that will afford evidence with respect to the commission of an offence; (Section <a href="#">487.11 CC</a> may be used during exigent circumstances);</li> <li>• <a href="#">s.117.02</a> – Search for and seize weapons without warrant from a place other than a dwelling house when it is believed on reasonable grounds that an offence is being or has been committed and where conditions exist to obtain a warrant but by reason of exigent circumstances it would not be practicable to obtain a warrant;</li> <li>• <a href="#">s.117.04</a> – Search for and seize weapons by way of warrant, or without warrant under exigent circumstances, when there are grounds to believe it is not in the interest of safety for a person to possess a firearm. When this section is used, an Application for Disposition (Forfeiture and Prohibition) pursuant to section 117.05 CC is required within 30 days after the seizure. This process may result in a prohibition order if a justice is satisfied that circumstances warrant such an action</li> <li>• <a href="#">s.111</a> – Application for a Preventative Prohibition Order - This process can be used when a person has not committed an offence that would allow or require a mandatory (under section 109 CC) or discretionary (under section 110 CC) prohibition order, and there are grounds to believe that it is not desirable in the interest of safety for a person to possess a firearm;</li> <li>• <a href="#">s.117.01</a> – Limited Access Order - used when a prohibited person lives with or associates with a person who lawfully possesses firearms.</li> </ul>



Legislation	Relevant Points in Noted Legislation
<a href="#">Child, Family and Community Service Act</a> – Information Sharing	<ul style="list-style-type: none"> <li>• <a href="#">s.96</a> Ministry of Children and Family Development social workers are entitled to request information that is directly related to protection and safety concerns for individuals and families from any public body</li> </ul>
<a href="#">Freedom of Information and Protection of Privacy Act</a> – Public Interest Notifications	<ul style="list-style-type: none"> <li>• <a href="#">s.25(1)</a> Personal information may be disclosed for any purpose, where in the opinion of the institution:             <ol style="list-style-type: none"> <li>(a) the public interest in the disclosure clearly outweighs any invasion of privacy that could result from that disclosure; or</li> <li>(b) disclosure would clearly benefit the individual to whom the information relates.</li> </ol> </li> <li>• <a href="#">s33.1 &amp; 2</a> in relation to a request for disclosure, a public body is permitted to disclose personal information where the person concerned has agreed in writing to the disclosure, in order to comply with legislation, for a consistent purpose, to respond to a subpoena, or where the information is necessary to assist public body employees (which includes contractors) in the performance of their duties</li> <li>• (<a href="#">Criminal Code s.810(1) &amp; (2)</a> also applies)</li> </ul>
<a href="#">Mental Health Act</a>	<ul style="list-style-type: none"> <li>• <a href="#">Section 28</a> apprehension: A police officer or constable may apprehend and immediately take a person to a physician for examination if satisfied from personal observations, or information received, that the person is acting in a manner likely to endanger that person’s own safety or the safety of others, and is apparently a person with a mental disorder.</li> <li>• Form 4 is a medical certificate issued by a physician providing authority for anyone to apprehend the person and transport the person to a designated facility.</li> <li>• Form 21 Director’s Warrant authorizes a peace officer to apprehend and transport that person to a designated facility. If a patient elopes from a designated facility, the peace officer can apprehend without the issuance of a Form 21 Warrant within 48 hours of the patient leaving the designated facility.</li> </ul>

## APPENDIX E: SCHOOL ACT

### **Maintenance of Order under section 177 of the *School Act***

Section 177 of the *School Act* is intended to prevent the disruption of schools and school functions, and to ensure the protection of students and staff. This section allows the principal or other school administrators to direct a person to leave school property and prevents the person from returning without prior approval of the principal or administrator. It also enables the principal or administrator to call for assistance from police agencies if necessary. If a person contravenes this section of the *School Act*, they commit an offence. The purpose of providing this authority to principals and other administrators is to maintain order on school premises and to ensure the protection of students and staff.

The full text of section 177 of the *School Act* is provided below:

#### Maintenance of order

177 (1) A person must not disturb or interrupt the proceedings of a school or an official school function.

(2) A person who is directed to leave the land or premises of a school by a principal, vice principal, director of instruction or a person authorized by the board to make that direction:

(a) must immediately leave the land and premises; and

(b) must not enter on the land and premises again except with prior approval from the principal, vice principal, director of instruction or a person who is authorized by the board to give that approval.

(3) A person who contravenes subsection (1) or (2) commits an offence.

(4) A principal, vice principal, or director of instruction of a school or a person authorized by the board may, in order to restore order on school premises, require adequate assistance from a peace officer.

### **Medical Exclusions under section 91 of the *School Act***

Section 91 subsection 2 of the *School Act* gives a principal, vice principal, director of instruction of a school or the Superintendent of Schools the authority to exclude a student because of health issues, physical or mental, that would endanger students or staff at school. The student may be excluded from school until a certificate is obtained from the school medical officer permitting the student to return to the school. If a student is removed or excluded from school the board must continue to make available an educational program for that student.

The full text of section 91 of the *School Act* is provided below:

#### Examinations and reports by school medical officer

91 (1) A school medical officer may and when required by the minister of health must examine or cause examinations to be made as to the general health of students of the schools in the school district.

(2) If the school medical officer considers that the health condition of any student is such as to endanger the health or welfare of the students of a school or the employees of the board, the school medical officer must so report to the board, giving the name of the student concerned.

(3) The board must promptly act on a report under subsection (2) and must remove from a school a student whose health condition is reported by the school medical officer as being dangerous.

(4) A student who is removed from a school under subsection (3) must not be permitted to return to the school until he or she delivers to the board a certificate signed by the school medical officer permitting the student to return to the school.

(5) If a teacher, principal, vice principal or director of instruction suspects a student is suffering from a communicable disease or other physical, mental or emotional condition that would endanger the health or welfare of the other students, the teacher, the principal, the vice principal or the director of instruction:

- (a) must report the matter to the school medical officer, to the school principal and to the superintendent of schools for the district; and
- (b) may exclude the student from school until a certificate is obtained for the student from the school medical officer, a private medical practitioner or a private nurse practitioner permitting the student to return to the school.

(6) If a student is removed or excluded from school under subsection (3) or (5), the board must continue to make available to the student

- (a) if the student is enrolled in more than one educational program, the educational program for which the board is responsible; or
- (b) in any other case, an educational program.

Further legislation related to student safety:

[School Act \(PDF\)](#) - Preamble, Sections 2, 6(1), 73 (1b), 75(1), 76(2)(3), 85(1)(1.1)(2)(3a), 90, 91, 92, 169(3), and 177.

[Provincial Standards for Codes of Conduct \(PDF\)](#)

E-87.1 October 23, 2007 Authority: School Act, sections 85(1.1), 168 (2) (s.1)

[Statement of Education Policy Order \(PDF\)](#) (OIC 1280/89) Mandate for the school system.

[School Regulation \(PDF\)](#)

Sections 4 (b) and (c), 5 (7)(g), 6 (1)

[Appeals Regulation \(PDF\)](#)

## APPENDIX F: FAIR NOTICE

Fair Notice can be given through letters to parents/guardians, brochures, media releases, parent meetings, staff meetings, new student orientation, school websites or all of the above. School districts and independent schools may also include a brief "Fair Notice" statement in student "agendas".

### Sample Fair Notice

#### **What behaviours warrant a Threat Assessment to be initiated?**

A Threat Assessment will be initiated for behaviours including, but not limited to: serious violence or violence with intent to harm or kill, verbal/written threats to harm or kill others, online threats to harm or kill others, possession of weapons (including replicas), bomb threats (making and/or detonating explosive devices), fire setting, sexual intimidation or assault and gang-related intimidation and violence.

#### **Duty to report**

To keep school communities safe and caring, staff, parents/guardians, students and community members must report all threat-related behaviours.

#### **What is a threat?**

A threat is an expression of intent to do harm or act out violently against someone or something. Threats may be verbal, written, drawn, posted on social media platforms or made by gesture. Threats must be taken seriously, investigated and responded to.

#### **What is a Threat Assessment Team?**

Each school has a Threat Assessment Team. The team may include the principal, teachers, counsellor(s) and a member of the local police agency.

#### **What is the purpose of a threat assessment?**

The purposes of a threat assessment are:

- To ensure the safety of students, staff, parents and others
- To ensure a full understanding of the context of the threat
- To understand factors contributing to the subject of concern's behaviour
- To be proactive in developing an intervention plan that addresses the emotional and physical safety of the person of concern
- To promote the emotional and physical safety of all

#### **What happens in a threat assessment?**

All threat-making behaviour by a student shall be reported to the Principal, who will activate the threat assessment process for the initial response. Once the team has been activated, interviews may be held with the student(s), the subject of concern, parents and staff to determine the level of risk and develop an appropriate response to the incident. Intervention plans will be developed and shared with parents/guardians, staff and students as required.

#### **Can I refuse to participate in a threat assessment process?**

It is important for all parties to engage in the process. However, if the subject of concern or parent/guardian is reluctant to participate, the threat assessment process will continue to promote a safe and caring learning environment.



### **Collection Notice**

Schools and school districts are subject to personal information privacy laws and will undertake the collection of this information in compliance with the requirements of such laws. This will include limiting the collection to information that is relevant and necessary to address a risk or threat and ensuring that information collected from an online source is only obtained from open-source sites. Schools and school districts will not collect information as part of a threat assessment unless there is reason to believe that a risk exists. Information collected as part of a threat assessment may be provided to police agencies in appropriate circumstances. Information collected will be retained and handled within current records management procedures and guidelines.

## APPENDIX G: QUICK GUIDE FOR SCHOOL PRINCIPALS REGARDING SEARCH AND SEIZURE

Although a student attending school has a reasonable expectation of privacy, that expectation is less when the student is on school property than it would be in other circumstances. Teachers and school principals are responsible for providing a safe environment and maintaining order and discipline in the school. This responsibility may require them to search students and seize prohibited items. However, the search must be conducted sensitively and must take into account the age and gender of the student. This does not apply to situations in which the school authorities are acting as agents of the police or where the police themselves are conducting a search of student property on school grounds.

- Principals should defer to police during active investigations.
- Principals should not defer to police in cases where a search is within the scope of their authority unless:
  - Items being searched for require specific police handling expertise.
  - Problems are anticipated in carrying out a search and police assistance is needed.
- At the beginning of the school year, the principal must inform students that desks and lockers are school property and that a search is permissible.
- The principal can search a student's possessions, desk, locker, or any area where a student's possessions may be stored.
- Except in the case of a criminal investigation, searches should be conducted by two school staff with the student present.
- The principal shall not conduct body searches.
- The principal can ask the student to empty pockets and remove outer layers of clothing (hats, coats, outer shirts) and remove shoes. A search should never cause a student to reveal undergarments.
- As soon as the search reveals evidence of a criminal offence, the search should be stopped and police contacted.
- Depending on the circumstances, police may communicate with the principal before executing a search warrant on school property.

### **Possession and or Distribution of Illegal Drugs**

- Police shall be contacted when drugs are located.
- The drugs should not be handled or modified. Consider safety precautions for staff and students.

### **Possession and or Distribution/Publication of Intimate Images**

- Intimate image means a visual recording of a person made by any means, including a photographic, film or video recording, in which the person is nude, is exposing his or her genital organs or anal region or her breasts or is engaged in explicit sexual activity; in respect of which, at the time of the recording, there were circumstances that gave rise to a reasonable expectation of privacy; and in respect of which the person depicted retains a reasonable expectation of privacy at the time the offence is committed. Creation and distribution of images depicting a sexual activity or sexual organ of a person under 18 is a criminal offence.
- 162.1 (1) Everyone who knowingly publishes, distributes, transmits, sells, makes available or advertises an intimate image of a person knowing that the person depicted in the image did not give their consent to that conduct or being reckless as to whether or not that person gave their consent to that conduct.
- If aware of a student possessing or distributing non-consensual intimate images, the school



principal will:

- Contact police
- If possible, confiscate the device containing the images and secure it in a safe place.
- Under the direction of the police, contact the student's parent/guardian(s) to inform them of police involvement.
- If you cannot confiscate the device, take a photo of the image. Do not electronically share any image collected.

## APPENDIX H: EXAMPLES OF POTENTIAL RELEASE CONDITIONS

- You shall not attend within 300 metres of any known educational facility;
- You shall not possess any knives except for the immediate preparation and consumption of food;
- You shall not possess, own or carry any weapon, including but not limited to any firearm, crossbow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance, and any related authorizations, licenses and registration certificates. Nor are you to possess any imitation firearm or imitation of those other items listed in this condition;
- You are not to possess outside of your residence, any of the following materials: matches, lighters, mechanical ignitors, candles, cigarettes, magnifying glasses, safety flares, black powders, flash powder, ignitable liquids including but not limited to: gasoline, diesel, propane, lighter fuel, kerosene, camp stove fluid, paint thinner, lacquer thinner, brake fluid, butane, methyl alcohol, ethyl alcohol, acetone. This condition does not restrict you from operating a motor vehicle;
- You shall not own, possess or access any personal computer or electronic devices capable of accessing the Internet. *Optional portion:* you may possess a computer or other electronic device that has Internet access under the supervision of a parent/guardian (only if parent has due control/supervision over the youth);
- You will allow any peace officer personal examination of computing equipment, peripheral devices and communication devices or such computing equipment, data storage devices/media, removable media and any manual associated to any computing equipment, passwords and access codes to enable examination of any computer you are using to verify compliance with this order and to provide police access to your residence upon request to verify compliance with this condition;
- You shall not be outside your residence unless under direct supervision by a parent/guardian.
- You shall present yourself at the door of residence or at the telephone at your residence, at the request of any peace officer who is monitoring your compliance with this condition;
- You shall have no contact, direct or indirect, with the co-accused (*conspiracy of two or more*);
- You shall not possess any alcohol or drug other than the one prescribed by a doctor;
- You shall take reasonable steps to maintain yourself in such a condition, that your disorder will not likely cause you to conduct yourself in a manner dangerous to yourself or anyone else, and it is not likely you will commit further offences;
- You shall attend for medical/psychiatric/psychological counselling and/or treatment as directed by the probation officer, except that you shall not be required to submit to any treatment or medication to which you do not consent;
- You shall provide your treating physician/psychiatrist with a copy of this order and the name and telephone number of the probation officer. You shall instruct your treating physician/psychiatrist that if you fail to take medication as prescribed or fail to keep any appointment; your physician/psychiatrist is to advise the Probation Officer immediately of any such failure;
- If you do not consent to the form of medical/psychiatric/psychological treatment or medication which is prescribed or recommended, you shall immediately report to the Probation Officer and thereafter report not less than 5 days per week as directed by the Probation Officer.