

Bill 157- Safe Schools Reporting

Keeping Our Kids Safe At School



MINISTRY OF EDUCATION

New legislation came into effect in 2010, requiring staff who work directly with students to **respond** to incidents that have a negative impact on the school climate, and all school staff to **report** to the principal incidents that can lead to suspension or expulsion. These requirements apply both to Teachers and Occasional Teachers on daily or LTO assignments in schools.

RESPONDING: All staff who work directly with students (including any Occasional Teacher in a school) must respond to incidents that will have a negative impact on the school climate. Examples of inappropriate and disrespectful behaviour include racist, sexual, sexist or homophobic comments, slurs and jokes or graffiti, as well as those activities and behaviours outlined below that can lead to suspension or expulsion. Staff must respond to all incidents, unless doing so would cause immediate physical harm to themselves, a student or any other person. Responding may include asking the students to stop the inappropriate behaviour, identifying the behaviour, explaining why it is inappropriate or disrespectful and the harm it may cause, asking the students to change their behaviour in future. In these cases staff are expected to report the incident to the principal as soon as it is safe to do so.

REPORTING: If a teacher or any other school staff learns of an incident that could have a negative impact on school climate and could lead to a student being suspended or expelled it must be reported.

Student behaviours that can lead to suspension include uttering threats of serious bodily harm, possessing or being under the influence of alcohol or illegal drugs, vandalism to school property, bullying and cyberbullying, and swearing at a person in a position of authority. Student behaviours that can lead to expulsion include possessing or using a weapon to cause or threaten bodily harm, physical assault causing bodily harm, sexual assault, trafficking in weapons or illegal drugs, giving alcohol to a minor, and robbery.

These behaviours can lead to suspension or expulsion and must be reported when they occur at school, at school-related activities or off school property where it has a negative impact on school climate.

When reporting, Board employees must consider the safety of others and the urgency of the situation in reporting to incident **no later than the end of the school day**. All reports to the Principal must be confirmed in writing using Safe Schools Incident Reporting Form Part 1 (available on PDSB intranet, in SIS- a Java based form in SIS that only works in Internet Explorer. You cannot open this with Google Chrome or Apple's Safari browser). Teachers and Occasional Teachers are encouraged to keep their own record of having reported the incident, but privacy legislation prohibits photocopying the completed form. The Principal is required to acknowledge receipt of the written report using Safe Schools Incident Reporting Form Part 2, which will indicate whether action was taken or no action was required. Teachers and Occasional Teachers are encouraged to keep this form in their records. If action is taken, a copy of the documentation indicating the action taken will be filed in the student's OSR for one year, without the names of any other students.

TRAINING MODULE: The Board has developed an on-line training module that all employees are required to complete at the start of every school year.

Q&A From OSSTF Provincial Office

When did Bill 157 come into force?

Bill 157 requirements began on February 1, 2010.

Which employees are required to "report"?

All employees are required to report an incident that would be considered suspension worthy to the principal. Each school board is required to develop guidelines on what type of incidents should be reported.

How is a report made?

A report is made on your board's version of the standardized reporting form. (PDSB - [Safe Schools Incident](#)

[Report Form](#) - This is a Java based form in SIS that only works in Internet Explorer. You cannot open this with Google Chrome or Apple's Safari browser.)

Should employees keep a copy of the report?

Privacy legislation prohibits employees from copying the form. Employees should, however, keep a record of the report and the receipt that the principal is required to give to the reporting employee.

If a number of employees witness an incident, who has to make the report?

All employees that witness the incident are required to make a report. There is no requirement that the reports are the same.

What happens to the report after it is filed with the principal?

The principal is required to act on the report. The principal will respond to the reporting employee as to whether action was taken based on the report. If action is required, that action will be documented on the student's OSR.

What liability does the employee have when reporting an incident?

There should be no liability on the employee when reporting. The employee reports what they witness. It is up to the principal to investigate and determine what action, if any, needs to be taken. There is more of a risk if an incident is not reported.

What training is required?

Each employer is required to provide employee training on a number of related topics. All schools must have an anti-bullying plan and a strategy to promote a positive culture in the school. Training must also be provided on appropriate response strategies and on the mechanics of reporting serious incidents.

What employees are exempt from the requirement to respond to negative behaviour?

The PPM requires the board to specify which employees are required to respond. Generally, it is employees who work directly with students such as administration, teachers and EAs. Boards may also determine that some school secretaries, or school based PSSPs may be appropriate responders. Itinerant staff are likely to be exempt from responding.

Are we still required to report and respond even if the employer does not give us proper training?

Yes, the act is clear that there is a requirement to report and/or respond. The training or lack thereof will come into play if there is any discipline or negative outcome from the process.

Is the employer required to offer training during the workday?

OSSTF/FEESO sees this training as work-related and required by regulation. Therefore, it is not professional development or independent training. It should be provided at no cost to the employee and during the regular work day.

Some boards are requiring casual staff to do an on-line training session before being hired. Is this appropriate training?

OSSTF/FEESO does not agree that this type of training is appropriate or sufficient. OSSTF/FEESO continues to lobby the Ministry of Education and Ministry of Labour to require employers to provide on-site training on a regular workday.