



KENORA CATHOLIC DISTRICT SCHOOL BOARD

300 Student Procedures

AP 311: Safe Schools – Reporting Violent Incidents

Behaviour which jeopardizes the emotional well-being or physical safety of students shall not be tolerated. It is the goal of the Kenora Catholic District School Board to eliminate assault (physical and sexual) from every aspect of school life. The Board adopts the following as a working definition of:

a) Assault: A person commits assault when

- 1) without the consent of another person, s/he applies force intentionally to that other person, directly or indirectly
- 2) s/he attempts or threatens, by act or a gesture, to apply force to another person, if s/he has, or causes that other person to believe on reasonable grounds that s/he has present ability to affect his/her purpose
- 3) while openly wearing or carrying a weapon or imitation thereof, s/he accosts or impedes another person or begs.

b) Sexual Assault: A sexual assault occurs where a person, without consent, intentionally applies force, or intentionally threatens to apply force, to another person in circumstances of a sexual nature such as to violate the sexual integrity of the victim.

c) Fighting: Fighting occurs when two parties consent to apply force to each other without excessive one-sidedness involved.

d) Physical Assault Causing Serious Injury: Physical assault causing serious injury is the intentional application of force (in any degree at all) to a person without that person's consent. Bodily harm refers to any hurt that is more than merely transient or trifling in nature which interferes with the health or comfort of the person, and includes (but is not limited to) injuries that receive medical attention. Any cut that receives stitches or any broken bone or fracture should be considered a serious injury. Serious injury could also include multiple minor injuries.

1. Report

- 1.1 Each individual violent incident for students at school shall be documented.
- 1.2 The decision to report to the police or Child and Family Services should be made by the board staff in accordance with the Kenora Catholic District School Board Code of Conduct.

- 1.3 The report will contain:
 - 1.3.1 a description of the serious violent incident leading to a suspension, expulsion or a call to the police;
 - 1.3.2 a reference of the call to the police, if applicable;
 - 1.3.3 a reference to the school/board disciplinary response to the incident, if applicable;

2. Categories of Violent Incidents Reported to Police

The following categories of serious violent incidents at school must be reported to the police:

- 2.1 Possession of a weapon, including, but not limited to firearms;
- 2.2 Robbery and extortion
- 2.3 Use of a weapon to cause bodily harm or to threaten serious harm;
- 2.4 Physical assault causing bodily harm requiring professional medical treatment;
- 2.5 Sexual assault;
- 2.6 Any hate-motivated violence (i.e. incidents involving homophobia, racism, harassment);
- 2.7 Hate and/or bias-motivated incidents;
- 2.8 Threats of serious physical injury.
- 2.9 Vandalism causing extensive damage to school property or property located on school premises.

3. Filing of Violent Incidents Leading to Suspension/Expulsion and of Reports to the Police

- 3.1 Any violent act at school for which the pupil is suspended, expelled or reported to the police shall be recorded on a Violent Incident Form and filed in the O.S.R.
- 3.2 A copy of the school board's letter(s) to the student /parent(s)/guardian(s) regarding the suspension or expulsion for violent behaviour will be filed in the O.S.R.

4. Removal of Information from the OSR

- 4.1 The information relating to suspension for violent behaviour shall not be removed from the O.S.R. unless three consecutive years have passed during which no further suspensions for serious violent incidents have taken place.
- 4.2 The information relating to expulsion shall be removed five years after the date on which the school board expelled the student.

- 4.3 Where an expelled student has been re-admitted to school by a school board, and is expelled again, the information relating to the expulsions shall not be removed from the *Ontario Student Record* (OSR) until five consecutive years have passed without any further expulsion.
- 4.4 Where the student has not been suspended or expelled, the *Violent Incident Report* shall be removed after three years if no further serious violent incident is reported to the police during that time.
5. Transfer of the Information
- 5.1 If the student transfers to another school, the information in the O.S.R. relating to the serious violent incident that led to suspension or expulsion, as well as a report to the police, will remain in the O.S.R. unless removed under the above paragraphs.

Form(s) Associated with this procedure:

Form 057 – Violent Incident Report

Legal References:

1. Ministry of Education Violence Free Schools Policy 1994
2. Ontario Student Record Guideline S 6.

Effective Date: December 18, 2001

Latest Review Date: March 31, 2011, May 2011, August 23, 2011, January 2012