



POLICY

1. The Windsor-Essex Catholic District School Board endorses a supportive school environment that is safe and secure for all students and staff, as indicated in the Board's policies on Safe Schools and Code of Student Behaviour.
2. The Board recognizes that on rare occasions, a student may be unable to demonstrate appropriate self-control and may injure himself/herself or others or cause property damage. Thus, the Board shall provide intervention measures, when deemed necessary, such as physical intervention.
3. The Board shall establish physical intervention procedures to be employed by staff, on either an emergency or planned basis to ensure safety of people and property, and are not to be applied as punishment.
4. The Board accepts the following definitions:

Corporal Punishment

Refers to the act of striking a student either with one's hand or with an object, such as a leather strap. The Windsor-Essex Catholic District School Board does not permit the use of corporal punishment with any student under any circumstances.

Physical Intervention

Refers to a preventative procedure employed in exceptional circumstances where there is a realistic concern that a student may injure herself/himself or others or cause significant property damage. Physical intervention may be used to limit a student from performing an action.

a. Emergency Physical Intervention

Refers to actions taken in a crisis situation in which a student poses an immediate risk to himself/herself or others. This type of physical intervention precludes prior consultation with parent(s)/guardian(s).

b. Planned Physical Intervention

Refers to the use of manual physical intervention as the final step in a sequence of actions following the onset of an acting-out behaviour. This type of physical intervention is part of a Physical Intervention Action Plan for a student based on his/her needs and previous history of acting-out behaviour. This type of intervention requires prior consultation with parent(s)/guardian(s).

REGULATIONS

- § Constitution Act 1982 - Charter of Rights and Freedoms
12. *Everyone has the right not to be subjected to any cruel and unusual punishment.*

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- \$ Canadian Criminal Code, R.S.C., 1995
Correction of Child By Force: Section 43:
Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.
- \$ Education Act, R.S.O., 1998
- Sec. 264(1) *It is the duty of a teacher and a temporary teacher, to maintain, under the direction of the principal, proper order and discipline in the teacher's classroom and while on duty in the school and on the school ground;*
- Sec. 265. *It is the duty of the principal of a school, in addition to the principal's duties as a teacher to maintain proper order and discipline in the school.*
- Regulation 298
- 11 (1). *The principal of a school, subject to the authority of the appropriate supervisory officer, is in charge of,*
(a) the instruction and the discipline of pupils in the school;
and (b) the organization and management of the school.
20. *In addition to the duties assigned to the teacher under the Act and by the Board, a teacher shall,*
(h) cooperate with the principal and other teachers to establish and maintain consistent disciplinary practices in the school.
- 23(1). *A pupil shall,*
(b) exercise self-discipline;
(c) accept such discipline as would be exercised by a kind, firm and judicious parent;
(e) be courteous to fellow pupils and obedient and courteous to teachers;
(h) show respect for school property.
- \$ Child and Family Services Act, R.S.O., 1990
Corporal Punishment: 101:
No service provider or foster parent shall inflict corporal punishment on a child or permit corporal punishment to be inflicted on a child in the course of the provision of a service to the child.

PROCEDURES

1. All staff members shall resolve disruptive or out-of-control behaviour by using the least intrusive means possible, unless circumstances dictate emergency or planned physical intervention.
2. Staff shall document all incidents involving emergency physical intervention on the Non-Violent Crisis Intervention Form. A copy of this report is submitted to the appropriate Superintendent of Education through the Special Education Coordinator. The original is filed in the Documentation File of the Ontario Student Record (O.S.R.).

3. Parents/guardians shall be informed of each emergency physical intervention incident.
4. Emergency physical intervention precludes prior consultation with the parent/guardian.
5. When a child's needs or history of acting-out behaviour requires it, a Physical Intervention Action Plan shall be completed by the team working with the student e.g. teacher, educational assistant, L.E.T. teacher, special education coordinator, parent, and approved by the Principal or delegate prior to the implementation of Planned Physical Intervention procedures and a copy of the plan shall be submitted to the appropriate Superintendent of Education. The use of intervention procedures should be logged and a Non-Violent Crisis Intervention Form should be completed if procedures other than those specified in the Plan are used.
6. A Physical Intervention Action Plan, if required, shall be filed in the Documentation File of the Ontario Student Record (O.S.R.) and shall be an integral part of the student's Individual Education Plan (I.E.P.).
7. If physical intervention is occurring with a student on a frequent basis, it is incumbent on the team of staff working with the child and on the Principal or delegate to develop a proactive behaviour plan geared toward reducing or eliminating the need for physical intervention.
8. A Physical Intervention Action Plan is reviewed each term in elementary school and each semester in secondary schools by the team involved with that child (see #5).
9. Any injury to staff and/or students during physical intervention shall be recorded according to Board policies as well as on the Non-Violent Crisis Intervention Form and reported to the Principal and the parent/guardian.
10. The Principal shall follow established procedures to obtain medical assistance and report injuries.
11. Only safe, effective physical intervention strategies approved by the Board may be used with students. These strategies are referred to as Nonviolent Crisis Intervention and their authorized use requires a comprehensive training program.
12. Training will be provided for staff members who will regularly be involved in planned physical intervention.
13. Each elementary and secondary school should have a minimum of two staff members trained in Nonviolent Crisis Intervention. Other factors, including but not limited to the size and specific needs of the school, will determine the actual number of trained persons in any school.

Approved by Board: October 24, 2000

Reviewed by the Board June 2005

Related Policy: SC:07 Safe Schools (Violence-Free)
ST:03 Code of Student Behaviour
ST:05 Suspension

Related Board Committee:

Policy Review Date: 2010