

Professional Advisory

Safety in Learning Environments: A Shared Responsibility

The Council of the Ontario College of Teachers approved this professional advisory on April 4, 2013.

This advisory applies to all members of the Ontario College of Teachers, including, but not limited to, teachers, consultants, vice-principals, principals, supervisory officers, directors of education and those working in non-school-board positions.

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Safety in Learning Environments: A Shared Responsibility

Professional advisories are intended to inform professional judgment and practice. The Council of the Ontario College of Teachers approved this advisory on April 4, 2013 to remind members that they are responsible for ensuring safe learning environments for their students. It may be read in conjunction with the College's previous advisories: *Professional Misconduct Related to Sexual Abuse and Sexual Misconduct*, and *Use of Electronic Communications and Social Media*.



Introduction

What is an unsafe learning situation? Do you know the actions to take when you see one? Are you clear about your duty to report incidents or how to respond in unsafe situations? What might happen if you are not?

Questions of safety infuse conversations in education every day. Concerns about bullying (in person or electronically) and food allergies are every bit as important as safety in classrooms and the gymnasium. When student safety and well-being are involved, your foresight, knowledge and keen professional judgment are essential. Recognizing student vulnerability and acting to mitigate it is your professional responsibility.

This advice aims to help all College members reflect on their practice so that they can remain current in their knowledge and skills to make responsible decisions as would a careful or prudent parent or guardian. It applies to all Ontario Certified Teachers (OCT), including teachers, consultants, vice-principals, principals, supervisory officers, directors of education and those working in non-school-board positions. **Each has a different role. All share the responsibility for student safety.**

For the purposes of this advisory, learning environments include places of learning in and outside the school in which OCTs are responsible for the safety and well-being of students. This includes, but is not limited to, classrooms, school buses, science and technological studies labs, schoolyards, cafeterias, gyms, off-site facilities and worksites, co-op educational programs and work placements, field trip locations, arenas and sporting venues. Considerations of safety also include the manner in which College members interact with students and the manner in which students are permitted to interact among themselves.

Realities

In a 2012 College survey “Keeping Students Safe,” roughly eight out of 10 OCTs said that they have cared for students with a serious injury such as broken bones or concussions. Fortunately, 70 per cent said they felt prepared to deal effectively with threats to student safety. Moreover, 78 per cent said they’ve ended an ongoing class practice or student activity because it posed a risk to student safety, and two-thirds modified an activity because of potential risks to students. When they needed advice on student safety, teachers said they typically turned to their colleagues and school administrators.

Ethical underpinnings

The College’s *Ethical Standards for the Teaching Profession* and the *Standards of Practice for the Teaching Profession* provide moral and practical groundwork for this advice. Developed by College members and members of the public to guide and inform Ontario Certified Teachers, the standards — reflected in this advice and found on the College’s website — support your professional judgment. For example, the ethical principle of care holds that members express their commitment to students’ well-being and learning through positive influence, professional judgment and empathy in practice.

Educational context

In its 2008 report, *Shaping a culture of respect in our schools: promoting safe and healthy relationships*, a Ministry of Education Safe Schools Action Team said, “There is a direct link between success in school and the school environment in which student learning takes place. Students are more able and more motivated to do well and achieve their full potential in schools that have a positive school climate and in which they feel safe and supported.”

The responsibility of Ontario Certified Teachers with respect to student safety arises from sources such as statutes, regulations, board or employer policies, additional qualification courses, professional workplace standards and common law. OCTs are also well served with information from the Ministry of Education, the Ministry of Labour, their professional associations and federations.

Ontario's *Education Act*, including amendments introduced through the *Safe Schools Act*, the *Education Amendment Act (Progressive Discipline and School Safety Act)*, the *Accepting Schools Act*, and the Provincial Code of Conduct sets out teachers' legal obligations with respect to their students' safety. In addition, Regulation 298, made under the *Education Act*, and the Professional Misconduct Regulation (437/97), made under the *Ontario College of Teachers Act*, impose obligations on school administrators and teachers with respect to classroom assignments and student safety. The Ministry of Education has published relevant and helpful policy and program memorandums about promoting positive student behaviour, bullying prevention and intervention, safe arrivals, reporting violent incidents and developing and implementing equity and inclusive education. Relevant legislation and regulations can be found on the College's website at www.oct.ca and on the Ontario government's website at www.edu.gov.on.ca and www.e-laws.gov.on.ca.

In the *Accepting Schools Act*, for example, schools and school boards are legally obligated to prevent bullying, which includes cyber-bullying, by taking preventative measures, issuing tougher consequences, and supporting students who want to promote understanding and respect for all.

In specialized program areas such as those in technological education, OCTs' responsibilities with respect to student safety may extend beyond those mentioned above. In many cases,

members need specific qualifications to teach particular curriculum content and, therefore, must abide by specific legislation, regulations and bylaws.

Given their unique circumstances, principals and occasional teachers need to know their responsibilities to inform and be informed about students' special needs related to safety.

Legal implications

There are many other examples of relevant legislation, policies, standards and guidelines that are subject-specific governing the responsibilities of OCTs regarding student safety. These include the *Child and Family Services Act* and the *Occupational Health and Safety Act*. For example, under the *Child and Family Services Act*, OCTs are obligated to report any suspicions to a children's aid society that a child is or may be in need of protection. The obligation to report directly is on the individual — they cannot rely on another person to report on their behalf.

Disciplinary implications

Under the professional misconduct regulation, members can be found guilty of professional misconduct if they abuse a student verbally, physically, psychologically, emotionally or sexually. Failing to adequately supervise and failing to comply with duties under the *Child and Family Services Act* are also considered under the regulation to be acts of professional misconduct.

The responsibility of Ontario Certified Teachers for student safety extends to their treatment of students during daily interactions. As a professional, it is your responsibility to always model behaviour that aligns with the *Standards of Practice for the Teaching Profession* and the *Ethical Standards for the Teaching Profession* and that promotes safe learning environments for students. Not following the advice contained in the professional advisory could lead to issues of professional misconduct.

Advice to members: minimize the risks

- Know and apply legislation and your employer's policies with respect to student safety generally and particularly those regarding codes of conduct, reporting and responding to incidents of violence and abuse, lockdown procedures and safe school protocols.
- Know and apply legislation and your employer's policies regarding the specific activity you are conducting with students.
- Be aware of legislation and your employer's policies about intervening in violent or aggressive behaviour by and among students.
- Ensure that you and your students have the necessary training, knowledge and skills to undertake an activity, to respond safely and to report unsafe activities or situations.
- Know the special medical needs identified for your students (such as allergies) as well as any accommodations or modifications that may be required.
- Model respectful behaviour and non-violent conflict resolution skills.
- Encourage healthy relationship and bullying prevention skills throughout the curriculum.
- Inquire about training and supports in your school that are provided to minimize risks.
- Determine whether parental consent is required before beginning an activity so that parents or guardians authorize students' safe use of tools, materials and equipment.
- Identify what resources are necessary to take suitable precautions within the given learning environment.
- Assess whether the activity is appropriate given the number of students and their relative abilities, disabilities and ages.
- Determine whether additional supervision may be needed.
- Monitor, modify or stop an activity you think is unsafe.
- Establish and monitor sound and consistent safety procedures in your classroom or teaching area and review these procedures with students.
- Ensure that any intervention undertaken does not jeopardize your personal safety or the safety of others.
- Know who to contact and where to go to get help if needed.

Determine whether the activity or situation poses some level of health and safety risk

- Be alert to changes in the physical environment or equipment that have the potential to become safety issues such as science and technological labs, gymnasiums, and co-operative education sites.
- Identify and report deficiencies in the environment or equipment you use with students.

Know your professional responsibilities

Ontario Certified Teachers have a professional responsibility through due diligence to safeguard and educate students who have been placed under their care. Jointly with school administrators and key stakeholders, teachers are responsible for creating safe and healthy instructional settings integrating hazard identification, assessing the risks and controlling the situation in all aspects of the facility. Due diligence refers to taking every precaution reasonable in the circumstances to avoid injuries.

- Understand your duty and your employer's duty to contact or report to outside agencies, such as children's aid societies or the police about concerns and/or suspicions of child abuse.
- Know your responsibility as it relates to police/employer protocols for responding to violent incidents.
- Always maintain professional boundaries with students.
- Be aware and responsive to new and emerging safety concerns that affect students (such as food allergies).
- Become familiar with individual plans for students who have health or other safety concerns.
- Ensure that areas that contain safety items such as WHMIS binders, fire extinguishers, eye wash stations, defibrillators and first aid kits are clearly marked. Report missing items.

A framework for dealing with safety in learning environments

Recognize

Incidents involving student safety generally occur when we least expect them. Using a framework to work through ongoing and past occurrences enables you to be better prepared when these situations do occur.

Recognize that the situation and your actions may affect your professional conduct toward students, their safety or well-being and yours.

Report

Following a safety-related incident, report the incident and actions you have taken to your direct supervisor and to appropriate health and safety representatives.

- Identify the what, who, when and where in the situation.
- Document formally (if required by employer policy) and informally (personal notes) the relevant details, actions taken to deal with the situation, other individuals present during the incident, the student's demeanor/conduct prior to the incident and other relevant factors such as the activity taking place. Documenting should be done at the time of the incident or as soon as possible afterwards. Retain all copies for possible future use.
- Ensure that parents/guardians are informed promptly of a safety-related incident.
- Consult other individuals who had contact with the student prior to the incident.

Although an incident may not require formal reporting to a supervisor, it is always recommended professional practice to promptly document incidents that fall outside the norm of daily occurrences, especially when related to safety, in case of later inquiry as well as for the purposes of self-reflection.

Reflect

Reflect on the incident:

- What happened?
- Was my reaction appropriate? Yes/No. In what way?
- Was my conduct in keeping with the ethical standards of my profession (care, respect, trust and integrity)?

- Was my conduct in keeping with the standard of commitment to students and student learning?
- Do I review safety instructions and procedures regularly and make improvements, as needed?
- What could or would I do differently if faced with another similar situation?
- Do I know how to recognize an unsafe situation and where can I go to better prepare or access additional training?
- What have I learned from this experience?
- Would others benefit from what I have learned and how can I share this information?

Act professionally

Know your obligations

- Understand how the *Ethical Standards for the Teaching Profession* and the *Standards of Practice for the Teaching Profession* guide your professional judgment.
- Understand your responsibilities for student safety under legislation such as *Ontario's Education Act*, the *Ontario College of Teachers Act* and the *Child and Family Services Act*.
- Understand your school or employer policies related to health and safety.

Interact with students appropriately

- Understand how to support vulnerable populations such as students with exceptionalities or students who are bullied.
- Know how to recognize mental health issues, including signs and words of aggression and suicidal intent, and report them immediately.

Talk with other professionals

- Respecting student confidentiality, discuss situations with your colleagues, seek counsel from administrators, professional

associations or federations, and share insights from your personal experiences.

- Learn how your school's Safe and Accepting Schools Team can be of help.
- Be aware of services that provide phone, in-person and online counseling to students as identified by your school or employer.
- Regard your own professional development as a personal responsibility.

Ontario Certified Teachers should be able to say with confidence:

- My actions show that I treat students with care, respect, trust, and integrity.
- I am aware of the legal parameters that guide my professional practice.
- I am familiar with my school/employer's policies and emergency procedures regarding student safety.
- I reflect on past occurrences, monitor ongoing situations, and prepare for the unexpected.

Safety is a precursor to learning. Students learn best when they are free from verbal, physical, psychological, emotional and/or sexual harm. Ensuring safe learning environments protects students and teachers.

Reflecting on your professional practice informs your judgment when dealing with difficult or challenging situations. Safety awareness is vital to students' well-being and to maintaining the public trust.

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Cette publication est également disponible en français
sous le titre *Recommandation professionnelle – La sécurité
dans les milieux d'apprentissage : une responsabilité partagée*

For additional information:
Ontario College of Teachers
101 Bloor Street West
Toronto ON M5S 0A1

Telephone: 416-961-8800
Toll-free in Ontario: 1-888-534-2222
Email: info@oct.ca
www.oct.ca