

Section 2
Understanding
your rights and
responsibilities

Addressing Challenging Behaviour in the Early Years



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“Knowing your responsibilities as an educational worker is, of course, part of your job.

While you are performing that job, you also have many rights and access to the correct document, through the correct avenue, can help you ensure those rights while improving the learning of all students.”

Responsibilities

- Respond
- Communicate
 - What to know
 - What to share
- Report

 

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“We know that the way in which we respond, communicate and report is dependent on our job class.

We all have a duty to respond to the student and we are all responsible for communication.

For example, ECEs are responsible for reading OSRs and IEPs and EAs should be asking for information from those documents.

Depending on your job class, you may be responsible for sharing information with a teacher-colleague, a family member, an administrator or others.

This may include conversations and/or specific paperwork.

Every educational worker also has the responsibility to report incidents of violent behaviour.”

Recommended ACTIONS

- Ask what safety equipment, precautions and training are available
- Communicate with your administrator about any issue
- Complete all reports if you suffer an injury or feel unsafe from aggressive behaviour
- Contact your union for support



“Serious cases of violent or aggressive behaviour or even the threat of this, should be brought immediately to the attention of the on-site supervisor or administrator as well as your union representative.

All employees have a duty to complete the necessary paperwork following incidents. Completion of the paperwork is not a choice; it is an individual and on-going obligation.

This means that it should be completed by individuals who witness or are subject to the behaviour and that paperwork needs to be completed each time there is an incident, even when it is a repeat of previous behaviour.”

Factors to consider

Mitigating factors

- could reduce consequence

Extenuating factors

- could excuse behaviour

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It is important that classroom educators recognize that administrators could apply either mitigating or extenuating factors to consequences for student. However, as we will discuss later, any behaviours that could cause physical injury to a worker can be considered workplace violence under the *Occupational Health and Safety Act* and need to be addressed accordingly.

Mitigating factors could be that something has impacted the student that day, week, month. These would not justify or excuse the behaviour but they might reduce the consequence to the student in that they were more challenged than normally to make their best choice in the moment.

Extenuating factors could be something that exists within an Individualized Education Plan or information contained within the Ontario Student Record that highlights an inability to comprehend certain situations or to learn appropriate actions. These might excuse the behaviour in terms of consequence to the student but it is crucial that the behaviours are reported and shared with colleagues in order to best meet the needs of the student. They are trying to communicate their needs through their behavior and, as educational workers, we will create a better environment for all students when we work with our team to address those needs.

Protection

- Risk assessments
- Safety plans
- IEPs/Behaviour plans
- Work refusals

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“Risk assessments, safety and behaviour plans are tools you can use when dealing with challenging behaviours in students.

We will go over each of them in this section”

Risk assessments

- Workplace Violence survey
 - identify & address
- Functional Behaviour Assessment
 - identify, track, plan

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“Risk assessments can take different forms.

Such as a Workplace Survey to assess the environment under the *Occupational Health and Safety Act*

- That Can help identify locations that need intervention,
- That Can Look to address safety issues; and
- That Can be used by Health and Safety committees.

Another assessment is Functional Behaviour Assessment (or FBA) of a student.

- An FBA can be used to identify the purpose of behaviour, identify patterns and triggers; and
- should always be done by a team, this team usually includes parents.

An FBA

Should identify physical or verbal aggression, self-abuse, and running away and

- Should identify antecedents and/or behaviour chains.
- The behaviour should be tracked over a number of days (with the minimum being one week) and it should be used to establish the IEP and to assist with safety planning.”

Safety Plans

Should contain:

- Description of behaviour
- Potential triggers
- Interventions to prevent behaviour
- Identification of staff who will provide physical intervention



“A safety plan is developed for a student whose behaviour poses an on-going risk to self, staff, other students or other people in general.

It can serve as a crisis response plan.

It should involve all staff who work on an ongoing and daily basis with the student as well as parents/guardians and community agencies involved with the student.”

The next few slides give examples of things you might see in a safety plan

Safety Plan
Description of behaviour

- Hitting others
- Biting others
- Kicking objects
- Running away when challenged

http://www.labour.gov.on.ca/english/his/pubs/wvps_toolbox/toolbox_9.php



“The safety plan is to include a description of the observable behaviour concerns. The list could be extensive, as is seen here, or could be limited to one or two concerns.”

Safety Plan
Potential triggers

- Prolonged close proximity to others (“crowding”)
- Prolonged waiting in lines/in groups for activities, entry
- Being challenged by authority figure

http://www.labour.gov.on.ca/english/hs/pubs/wvps_guide/guide_5d.php



“In order to assist those professionals working with the student, the safety plan is to include antecedents, triggers to the behaviours that are of concern.

Sometimes, as in the example of “Running Away when Challenged”, the triggers are listed in the description of the behaviour as well.”

Safety Plan
Interventions

- Move X out of a line or to the back of a line to create space
- Minimize interactions with others when agitated (separation within room, isolation not necessary)
- Vary the individual giving instruction (EA, ECE, OCT)

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“Possible interventions listed in a safety plan are to be based on a functional assessment and analysis of the student’s behaviour.

These interventions should:

- focus on the individual student;
- include methods for teaching alternatives to the behaviour problems; and
- include strategies for making changes to the environmental and instructional circumstances found to be most associated with the problem.”

Safety Plan

- Communication procedures for impacted staff
 - “EA will signal to Teacher who will contact main office for personnel support”
- Emergency communication procedures for all staff
 - “PA system will be used to put school into ‘shelter and hold’ should student X run”
- Review and reassessment



“The safety plan should include communication procedures for staff that are working directly with the student and emergency procedures for all staff.

It is also the expectation of the Ministry of Education that the student safety plan should be reviewed and updated to see what can be learned and improved in the interest of student and worker safety.

School boards should consider reviewing and updating a student safety plan:
when there is a change in behaviour that could increase the potential for violence
when there is a violent incident involving a student; and
at least annually. “

IEPs/IPRCs

Must include:

- Behaviour expectations
- Appropriate intervention strategies
- Should note any safety plan in effect

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“Both Individualized Education Plans (IEPs) and Identification, Placement and Review Committees (IPRCs) also have very particular inclusions.

How these documents are created, who assists in their creation, and how and with whom the information therein is shared with educational workers are all crucial pieces of information to know for your workplace.

If you are unsure of the procedures, please reach out to colleagues and your local federation office.”

Work Refusals

Steps

1. Belief of risk to immediate or long-term health
2. Report refusal
3. Investigation
4. Involvement of MOL

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“Under Section 43 of the *Occupational Health and Safety Act*, you have the right to refuse unsafe, unhealthy work.

If an employee has reason to believe the work is likely to endanger themselves or someone else, they are to remain in a safe place and report the problem to a supervisor.

Employees cannot under the law be disciplined for refusing unsafe work.

It is recommended that an OSSTF/FEESO member contact their Bargaining Unit Office prior to undertaking a work refusal.”

OSSTF/FEESO Violence in the Workplace Strategy

Key recommendations on training:

1. All employees need some
2. Some employees need specialized
3. Student safety plan implementation
4. In person training



“OSSTF/FEESO has a Workplace Violence Task Force that has been charged with addressing developing a strategy and studying many issues including the training of employees.

The key recommendations regarding training that we have made at our Workplace Violence Task Force table so far are:

Every employee needs training in Workplace Violence.

- Some employees need more specialized training depending on their role; the training needed is often more than what has been provided.
- There needs to be an increased number of staff who receive the specialized training;
- Training on how to access student safety plans and how to implement them is necessary and that
- Training must be in person, not on-line.

If you have received no training on violence in the workplace, you should contact your local OSSTF/FEESO office.”

END OF

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RESOURCES IN THE EARLY YEARS...

