

Advocate for Children and Youth Releases Investigation into the Death of a 5- year-old boy at Saskatoon School

SASKATOON – The Saskatchewan Advocate for Children and Youth, Corey O’Soup, released *When Every Second Matters* today. This special investigative report reflects an examination of events leading up to the death of a 5-year-old boy, referred to as “Angel,” who drowned in a nearby pond during recess while attending a Saskatoon school.

Prior to attending kindergarten at the school, Angel’s parents and his former school staff shared key information about his special needs and high risk to run to water or roadways without regard for his personal safety. Saskatoon school staff worked diligently to gather information and create plans to integrate Angel into school, including a safety plan for recess.

The Advocate found that the recess safety plan was not fully implemented, and communication with key staff was insufficient. Consequently, this compromised his supervision and the search efforts when Angel ran away from staff at recess. “While not every set of circumstances can be foreseen, all child-serving organizations must have policies and practices in place to ensure the safety of children, especially those with high risks and special needs,” said O’Soup.

The report advances eleven recommendations informed by the right of children and youth to care, protection and educational services of the highest standard. Several recommendations call on the Ministry of Education and the School Division to develop policies regarding cumulative records, information sharing between sending and receiving schools, and transition planning for students with special needs.

O’Soup states that, “The Ministry and its school divisions must demonstrate leadership in developing strong policies to guide staff when acquiring relevant information and accommodating students with special needs.”

The Advocate also calls on the Ministry of Education to conduct a study of all schools under its authority to identify external safety hazards and create plans to sufficiently mitigate known risks.

“It is the Ministry of Education and their School Divisions’ responsibility to ensure that our children and youth will be safe while attending school and that means identifying the potential hazards before any more incidents occur. We all want what is best for all children.” said O’Soup.

The Advocate for Children and Youth is an independent officer of the Legislative Assembly of Saskatchewan. He leads a team of professionals who work on behalf of the province’s young people. Our vision is that the rights, well-being and voice of children and youth are respected and valued.

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Backgrounder on *When Every Second Matters*

Introduction:

When Every Second Matters is a special investigative report prepared by the Saskatchewan Advocate for Children and Youth. Released on March 27, 2018, it reflects an examination of events leading up to the death of a 5-year-old boy, referred to as “Angel” in the report, who drowned in a nearby pond during recess, while attending a Saskatoon school.

This report examines whether Angel received the services he was entitled to under provincial legislation, policy and practice as well as the United Nations *Convention on the Rights of the Child (UNCRC)*.

Prior to moving to Saskatoon, Angel attended pre-kindergarten at a Prince Albert school. The staff at that school had worked extensively to ensure they had plans when it came his safety and education. Before attending the Saskatoon school, his parents and former school staff provided information about Angel’s special needs and predisposition to run to water and roads without regard for his own safety. Prior to the start of school, Angel was diagnosed with autism, which had been suspected for some time. Angel was designated as requiring intensive supports and the School instituted several safety and educational measures to integrate Angel into his new environment, including a safety plan for recess.

During his first full day of kindergarten on September 11, 2017, Angel’s EA accompanied him outside for morning recess, holding his hand. Angel pulled away and ran to a nearby slide. His EA became briefly distracted, noticed Angel was missing, and staff began a search and found him unresponsive in a nearby pond. Angel was pronounced deceased shortly after his arrival to the hospital.

The investigation findings revealed that the recess safety plan was not fully implemented, and communication with key staff was insufficient. Consequently, this compromised his supervision and search efforts when Angel ran away from staff at recess. Additionally, the Advocate determined that the educational system would benefit from the development of other policies and procedures to ensure better transitioning and safety of students, especially those with high risks or special needs.

Key findings:

The Advocate’s investigation found that:

- In preparation for Angel’s transition to the Saskatoon School prior to the start of the 2017-2018 school year, staff worked diligently in their planning and followed most requirements and protocols.
- The Saskatoon School did not have sufficient procedures in place to trigger a request for Angel’s Cumulative Record from his former school.
- Procedures for transitioning Intensive Supports students who arrive from other school divisions are not clearly outlined in the School Division’s transition protocols.

- Staff appropriately raised concerns with School Administration regarding the need to improve planning and safeguards for Angel to successfully integrate into the classroom prior to his first full day of school.
- The maintenance and operations department did not respond in a timely manner to the request to modify the kindergarten classroom door security.
- The School Division lacks a Safety Plan procedure specifically for when measures are necessary to address high-risk safety issues for Intensive Supports students.
- Enhanced plans to ensure Angel's safety during recess on September 11th were not fully implemented. Steps were not taken to mitigate the lack of a fully executed safety plan.
- The Saskatoon School does not have a clear policy regarding safety on its school grounds, considering its close proximity to the City of Saskatoon pond.
- The School did not share adequate information about Angel's special needs with all Educational Assistants who came to work with him, in advance, contrary to its own best practices.
- When the School failed to properly equip the EA with sufficient information about Angel and fully implement the recess safety plan, it effectively placed the EA in a position of sole responsibility for Angel at recess, which contravened its own best practices.

Recommendations:

As a result of these findings, the Advocate makes the following recommendations: :

Recommendation #1: That the Ministry of Education direct that each board of education and conseil scolaire require their schools to create Cumulative Record folders for all children in pre-kindergarten who have special needs.

Recommendation #2: That the Ministry of Education conduct an audit that includes a representative sample of Cumulative Records across all school divisions to assess standards of consistency in practice, and to ensure policy and procedures require that critical information, especially with respect to accommodating students with special needs, is placed into Cumulative Records and shared when students relocate schools.

Recommendation #3: That the Saskatoon Public School Division #13 create policy to ensure that its schools have procedures in place whereby they consistently request Cumulative Records from a student's previous school, and that all its schools have consistent practices of creating Cumulative Record folders for all students.

Recommendation #4: That the Saskatoon Public School Division #13 amend its Transition Handbook to identify steps that should be taken when receiving a student with special needs from another school division, including contacting the most relevant sending school staff.

Recommendation #5: That the Ministry of Education require boards of education and conseils scolaires to develop transition planning policies for students with special needs that include communication requirements between sending and receiving schools and ensures Cumulative Records are consistently requested of sending schools.

Recommendation #6: That the Saskatoon Public School Division #13 review and revise its Administrative Procedure 310 entitled, 'Safety' in consideration of this incident to determine how timely responses can be achieved when risk to the safety of children is identified, and what temporary mitigation steps can be taken when response time is delayed.

Recommendation #7: That the Saskatoon Public School Division #13 develop a Safety Plan protocol for circumstances where safety measures are necessary to address high-risk safety issues for students with special needs. This protocol should include the safety issue, the safety measures, how the plan will be communicated with key staff, and contingency planning considerations in the event the full plan cannot be achieved.

Recommendation #8: That the Saskatoon Public School Division #13 amend its Administrative Procedures to require that any of its schools with surrounding area features that pose added safety risks develop written protocols to mitigate these risks to ensure satisfactory conditions of safety exist for students.

Recommendation #9: That the Saskatoon School develop a written protocol to mitigate the added risks posed by its proximity to the City of Saskatoon park and pond and ensure satisfactory conditions of safety exist for students when participating in school activities while outdoors on school grounds. This should include a map identifying the boundary between the School playground and the City of Saskatoon park, safety measures to mitigate the risks, and protocols for training staff and students.

Recommendation #10: That the Ministry of Education, in conjunction with boards of education and conseils scolaires, conduct a study of all schools under its authority to identify external safety hazards and create plans to sufficiently mitigate those safety hazards and provide such study to the Advocate within one year.

Recommendation #11: That the Saskatoon Public School Division #13, in consultation with its schools, amend relevant documents such as the Transition Handbook and EA Handbook, to outline minimum standards with respect to communicating with key staff, including EAs, in advance of working with assigned students with special needs.

Prepared by the Saskatchewan Advocate for Children and Youth, March 27, 2018