

CHILD ABUSE OR NEGLECT

Background

The Division recognizes its responsibility to ensure the safety and well-being of all students. It is the legal obligation of all staff members to report to authorities any suspected case of child abuse and/or neglect.

Staff members must be alert to four forms of abuse and/or neglect (child neglect – physical neglect, physical abuse, emotional abuse, and sexual abuse) which might endanger the child's right to safety, security and/or development.

Definitions

Emotional Abuse: may take the form of chronic exposure to alcohol or drug abuse, verbal attacks on a child's sense of self, repeated humiliation or rejection. Exposure to violence or severe conflict in the home, forced isolation, restraint or causing a child to be alone or afraid much of the time may also cause emotional harm.

Physical Abuse: is the intentional use of force on any part of a child's body that results in injuries.

Sexual Abuse: is the improper exposure of a child to sexual content, activity or behaviour. It includes any sexual touching, intercourse or exploitation by a parent or guardian, caregiver, extended family, friend, neighbour or stranger.

Psychological Abuse: also known as emotional abuse or mental abuse, refers to the use of non-physical means to control, intimidate, or manipulate an individual. It can take many forms, including verbal or written communication, gestures, or other forms of behaviour.

Neglect: is any lack of care that causes serious harm to a child's development or endangers the child in any way. Physical neglect is the failure to meet the child's day-to-day physical needs, including a failure to provide adequate nutrition, clothing, shelter, health care and protection from harm. Emotional neglect is the failure to meet the child's ongoing emotional needs for affection and a sense of belonging.

Procedures

1. All matters relative to children/students in need of intervention services shall be held to the strictest degree of confidentiality.

2. Duty to Report

- 2.1. If a staff member believes there are reasonable and probable grounds to suspect a child/student is being abused or neglected, if the child/student discloses such or if there are reasonable grounds to suspect the child/student is at risk of either abuse or neglect, the staff member is required, by law, to make a formal report to the Children and Family Services (CFS) Office.
- 2.3. The duty of a staff member to report is not discharged until the staff member reports to a Children and Family Services Office worker.
- 2.4. The duty to report overrides any right of confidentiality or privilege a person may claim.
- 2.5. It is not up to the staff member to determine whether their observations or student statements are sufficient evidence for an investigation or assessment. If in doubt, the staff member shall call to ask for advice from a Children and Family Services Office worker.
- 2.6. The staff member shall advise the Principal regarding any formal report that is made. This is to be shared for information only. The staff member cannot delegate the duty to report to the Principal and no Principal shall counsel a staff member not to report if the staff member believes there are reasonable grounds to believe abuse or neglect exist.

3. Responsibility for Assessments/Investigations

- 3.1. The assessment/investigation for child intervention services is the responsibility of the CFS worker who may, where appropriate, be assisted by the police.
- 3.2. School staff must not assume responsibility for any part of the assessment/investigation.
- 3.3. The Principal shall facilitate access to students for CFS workers and/or police for the purpose of determining if a child is in need of intervention services.
- 3.4. CFS staff are expected to provide appropriate identification upon entering the school. Investigators shall engage in student interviews at the school site only in instances where the imminent safety and welfare of a student is in question.
- 3.5. The responsibility for notifying a student's parent or guardian about an investigation rests with the CFS worker or police officer. In the event a student's return to home from school is delayed because of an investigation, it is the responsibility of the investigator to contact the guardian(s). School personnel shall not assume this responsibility.

4. Facilitating Assessments/Investigations at School

- 4.1. A CFS worker or police officer may request permission from the Principal to interview a student on school premises. The Principal is expected to co-operate with such a request. Whenever possible, the investigator is to give advance notice to the Principal.
- 4.2. It is recommended the interview be conducted in private unless the student requests or otherwise demonstrates they require the supportive but non-

participatory presence of a familiar school employee. The investigator and Principal shall together determine the appropriateness of having a school representative present to support the student during the interview.

4.3. School personnel present in such interviews must recognize they could potentially be subpoenaed to provide court testimony.

5. Suspected Abuse Involving School Personnel

5.1. Division and school personnel must recognize child abuse can occur within the educational setting. The Child, Youth and Family Enhancement Act does not cover neglect or abuse by anyone other than family members. Should a staff member or volunteer be suspected as the perpetrator of abuse, the Division must take immediate action consistent with the nature of the allegation, facts, and circumstances. All such cases shall be reported to the police and the Superintendent.

6. Follow-up

6.1. School personnel directly involved may expect follow-up communication from CFS. This shall be determined by the authorities and shall be provided on a "need to know" basis.

6.2. At the end of the investigation, the Principal, school counsellor and/or staff member(s) may request to meet with the CFS worker to discuss steps to be taken to assist the student, including any continued need for school support and educational services.

Section 11, 52, 53, 56, 196, 197, 222 Education Act
Child, Youth and Family Enhancement Act
Practice Review of Teachers Regulation 4/99
Student Record Regulation 225/2006