

## SCHOOL DISTRICT NO. 51 (BOUNDARY)

### P O L I C Y

SECTION	TITLE	NO. 4000
HEALTH/SAFETY	<u>Child Protection</u>	

**DATE ADOPTED: February 14, 2012**

**DATE REVIEWED: May 8, 2018**

The purpose of this policy is to support a comprehensive, coordinated and collaborative approach for responding to child abuse and neglect by:

- a. providing child abuse prevention programs to students;
- b. providing school officials, employees and other persons working in schools with training in recognizing signs of child abuse and neglect;
- c. providing school officials, employees and other persons working in schools with direction and training on their legal obligation to report child abuse and neglect to a Child Welfare Worker under the Child, Family and Community Service Act, to the police where the child is in immediate danger, and to school officials;
- d. requiring school officials to investigate and/or report to the police allegations of child abuse involving current and former school district employees, volunteers or contract service providers;
- e. establishing a child abuse/neglect reporting and investigation protocol with other responsible agencies, to identify the roles and responsibilities of school officials and personnel from other agencies, in responding to allegations of child abuse or neglect;
- f. providing assistance to victims of child abuse and neglect by counselling and referrals to other agencies, as appropriate.

#### **Recognizing Child Abuse and Neglect**

Child abuse can take physical, sexual, or emotional forms, or may take the form of parental neglect. The descriptions of physical abuse, emotional abuse, emotional harm, sexual abuse, sexual exploitation, and neglect contained in the *BC Handbook for Action on Child Abuse and Neglect for Service Providers* [BC Handbook for Action on Child Abuse and Neglect for Service Providers – June 2017](#).

(pages 23-29) (or later editions) should be applied for purposes of this policy.

#### **Reporting and Investigation**

The Board acknowledges that responses to reports of child abuse and neglect may involve School District personnel, child welfare and law enforcement agencies.

The Board supports a coordinated and collaborative response to reports of child abuse and neglect between the School District, the RCMP, and the Ministry of Children and Family Development. The Board supports the development of an interagency child abuse/neglect protocol agreement that sets out roles and responsibilities for reporting and investigating child abuse/neglect issues and is consistent with the *School District Procedures for Reporting Child Abuse and Neglect*.

All school officials and employees must understand and respect their legal obligation to report child abuse and neglect to a child welfare worker where they have reason to believe that a child is in need of protection within the meaning of the [Child, Family and Community Service Act](#).

School officials must also understand their role in coordinating with responsible agencies and in investigating allegations of child abuse against school employees, in accordance with the Board's *Child Protection Reporting and Investigation Procedures* and the interagency child abuse/neglect protocol agreement.

### **Respecting the Rights of Accused Individuals**

The Board acknowledges that individuals under investigation regarding allegations of child abuse or neglect may have contractual or other legal rights during the investigative process. School District investigations will be conducted in a manner that is respectful of these rights.

### **Training and Educational Programs**

The Board requires that school officials, employees, volunteers and contract service providers receive training on how to recognize signs of child abuse or neglect, how to respond to reports of child abuse or neglect, and standards of conduct for employees, volunteers and service providers governing their interactions with students.

The Superintendent or designate will ensure that appropriate opportunities to receive and/or review training are made available, on an annual basis, to school officials, employees, volunteers and contract service providers.

The Superintendent or designate will ensure that child abuse prevention programs are provided to students in accordance with the Ministry of Education's prescribed learning outcomes.

## **R E G U L A T I O N S**

**"Child Welfare Worker"** in these procedures refers to a person delegated under the *Child, Family and Community Service Act* to provide child welfare services, including responses to suspected child abuse and neglect. The Ministry of Children and Family Development and fully Delegated Aboriginal Child and Family Service Agencies employ Child Welfare Workers authorized to respond to suspected child abuse and neglect.

**“Interagency Child Abuse/Neglect Reporting and Investigation Protocol”** refers to the interagency agreement between the Boundary Board of Education, Ministry of Children and Family Development, and RCMP, as amended from time to time, setting out responsibilities of the respective agencies in reporting and responding to situations involving concerns about child abuse or neglect.

**“The police”** refers to [the Royal Canadian Mounted Police (RCMP) local detachment or the local police force, as the case may be].

**“Superintendent”** refers to the school district’s Superintendent of Schools appointed under the *School Act* and includes any person designated by the Superintendent to fulfill the Superintendent’s responsibilities described herein.

**A. Where allegations of child abuse or neglect involve the conduct of parents or parental failure to protect a child**

*Reporting to a Child Welfare Worker*

The *Child, Family and Community Service Act* makes it a legal duty ([CFCSA s. 14](#)) of every person who has **reason to believe** that a child **“needs protection”** as defined in that Act ([CFCSA s. 13](#)) to report the matter to a Child Welfare Worker.

The definition of when a child “needs protection” includes circumstances of physical harm, sexual abuse and exploitation or emotional harm by a child’s parent, or by another person if the parent is unwilling or unable to protect the child. It also includes circumstances of parental neglect and abandonment. “Parent” ([CFCSA s. 1](#)) includes someone with whom a child resides and who stands in place of a parent (except if placed there by Ministry of Children and Family Development or Delegated Aboriginal Child and Family Services Agency).

**“Reason to believe”** means that, based on observation or information received, the person believes that a child has been or is likely to be at risk. Proof is not required. The child welfare worker may investigate and makes a determination whether abuse or neglect has occurred or is likely to occur. (Further discussion and examples may be found in the [BC Handbook for Action on Child Abuse and Neglect for Service Providers – June 2017](#)).

A school district employee who has reason to believe that a child “needs protection”, *must* make a report to a Child Welfare Worker. If the employee has a concern but is not sure whether the concern amounts to a reason to believe that the child needs protection, the employee should consult with school officials and/or a Child Welfare Worker about whether the indicators observed are cause for concern or amount to reason to believe that the child needs protection. School officials may support employees in consultations or reports but should not hinder any employee from consulting with a Child Welfare Worker about a concern.

*Reporting to the police*

Abused or neglected children may be victims of offences under the *Criminal Code of Canada* such as physical or sexual assault; sexual exploitation; failure to provide the necessities of life; or criminal negligence causing bodily harm.

Where a child is in imminent danger, school officials should notify the police immediately.

Not every incident that might constitute an offence (e.g., a minor physical assault) warrants police involvement. Where a report is made to a Child Welfare Worker, normally the Child Welfare Worker will decide whether there is reason to believe that there has been a

criminal offence committed that warrants police involvement and if so, the matter is reported by the Child Welfare Worker to the police in order that they can exercise their law enforcement duties.

If school employees have any question as to whether conduct should be reported to the police, they should consult with school officials and/or a Child Welfare Worker.

#### *Reporting to School District Officials*

Employees who make reports to a Child Welfare Worker should inform the school principal or Superintendent of Schools.

### **B. Where allegations of child abuse are made against school district employees, volunteers, contract service providers, or others in the school setting**

Reports of child abuse may involve allegations against school district employees, volunteers, contract service providers, or other persons on school property. School officials have the primary responsibility for dealing with these allegations; reports to Child Welfare Workers from school officials are not usually required unless there is reason to believe that children outside the school setting may need protection or the parents are unable or unwilling to take any action required to protect the child.

Employees who have reason to believe that another employee, volunteer, contract service provider or other person on school property has abused a student must report the incident or information to the school principal or Superintendent of Schools.

Parents of children alleged to have been abused in the school setting must be informed by school district officials of the allegation and the outcome of the school district investigation, unless there are special circumstances, e.g., relating to a child protection or police investigation, or endangerment of the child.

#### *School District Employees*

It is the legal responsibility of school officials and employees to provide a safe learning environment for students. Where there are allegations of child abuse by a school district employee, the Superintendent is responsible to investigate the allegations and/or report the matter to the police in accordance with the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*. The Board and Superintendent have the authority under the *School Act* ([s. 15](#)) to suspend an employee whose presence threatens the welfare of students. The Board also has the authority under the *School Act* to suspend an employee who is charged with a criminal offence.

#### *Volunteers*

Where there are allegations of child abuse by a volunteer, school officials have the authority to prohibit the volunteer's attendance at school, in accordance with [District Volunteer Policy](#), the *School Act* ([s. 177\(2\)](#)) if applicable, and the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*.

### *Contracted Service Providers*

Where there are allegations of child abuse by contracted service providers, school officials have the authority to prohibit the service provider's attendance at school, in accordance with the School District's contractual rights, property rights and its authority under the *School Act*.

### *Other Persons*

Where there are allegations of child abuse by other persons, school officials have the authority under the *School Act* to prohibit the person's attendance on school premises ([S.A. s. 177](#)) and to seek the assistance of the police, in accordance with the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*.

### *Reporting to the police*

Not every incident that might constitute an offence if proven will warrant police involvement. School officials are expected to exercise judgment. Where there is reason to believe that the alleged child abuse by employees, volunteers, contract service providers or other persons may constitute a criminal offence warranting police involvement, school officials should consult with the police regarding the matter. Where the police initiate a criminal investigation, the Superintendent must cooperate with the police, in accordance with the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*.

### *Reporting to a Child Welfare Worker*

Although the primary responsibility for dealing with abuse allegations involving school district employees, volunteers, or contract service providers, rests with the school district as employer, there may still be a need to report to a Child Welfare Worker. For example, there may be indications of abuse outside the scope of the school district investigation, or the parents may respond to the abuse allegations in a way that suggests that they are unwilling or unable to take any action needed to protect the child or that the child is at risk of being abused by the parent. Where there is reason to believe that abuse or neglect of a child has taken place outside the scope of the school district investigation and the parent is unwilling or unable to protect the child, or there is reason to believe that the parent is unwilling or unable to protect the child with respect to the abuse that is the subject of the school district investigation, school officials must report this to a Child Welfare Worker in accordance with the *Child, Family and Community Service Act*.

### *Reporting to BC Council of Teachers and other professional bodies*

School employees and officials who are members of the BC Teachers' Council have an obligation under the *Teaching Profession Act* ([T.P.A. s. 27.1](#)) to report to the Registrar of the Council where they have reason to believe another member is guilty of professional misconduct involving physical harm to a student, sexual abuse or sexual exploitation of a student or significant emotional harm to a student. This requirement is in addition to the obligation of school officials to report the dismissal, suspension and discipline of members (or persons holding letters of permission) to the Council under the *School Act* ([S.A. s. 16](#)).

If an employee or contractor is a registered member of another professional body, such as the BC College of Psychologists or the College of Registered Nurses of BC, there may be duties to report to the professional body. For example, under the [Health Professions Act of BC](#), an employer who terminates or suspends a registered member based on a belief that the member's continued practice of the health profession would be a danger to the public, must report to the professional body.

### *Reporting to School District Insurers*

If the circumstances indicate that a civil claim is likely to be made against the school district or its staff or volunteers as a result of the incident, the Secretary Treasurer is responsible for ensuring that a report is made to the School Protection Program.

### **C. Where allegations of child abuse are made against school-aged students**

School officials have the responsibility and authority under the *School Act* to investigate allegations that a student has abused another student within the school environment. School officials may take disciplinary or other remedial action, in accordance with Board Policy.

School employees and officials also have responsibility to take appropriate action to safeguard a student who is the victim of abusive conduct by other students at school and to notify the parents of the students involved.

School officials may notify and/or consult the police or a Child Welfare Worker where appropriate, in accordance with the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*. School authorities have discretion in the circumstances of many minor offences whether to deal with a matter through the school discipline process or whether to call in the police. A report to a Child Welfare Worker is only required where there is reason to believe that the child's parent is unable or unwilling to take action required to protect the child or where there is reason to believe that other abuse (including abuse of the alleged abuser) has taken place outside the scope of the school district investigation and the parent is unwilling or unable to protect the child (or the parent is implicated in the abuse).

Employees who make reports to a Child Welfare Worker should inform the school principal or [a designated school district employee with responsibility for liaison with Child Welfare Workers].

### *Reporting to School District Insurers*

If the circumstances indicate that a civil claim is likely to be made against the school district or its staff or volunteers as a result of the incident, the Secretary Treasurer is responsible for ensuring that a report is made to the School Protection Program.

### **References:**

[\*BC Handbook for Action on Child Abuse and Neglect for Service Providers\*](#), 2017, Ministry of Children and Family Development

[\*Responding to Child Welfare Concerns\*](#), 2007, Ministry of Children and Family Development

[\*Child, Family and Community Service Act\*, sections 13 and 14](#)

[\*Health Professions Act\*](#), s. 32.2

[\*School Act\*](#), sections 15, 16, 177

[\*Teaching Profession Act\*](#), s. 27.1



## APPENDIX

### Interagency Protocol for Reporting and Investigation of Child Abuse and Neglect in School District No. 51 (Boundary)

#### A. Statement of Purpose

The purpose of this protocol is to set out and clarify the practices of the agencies involved within School District No. 51 (Boundary) in responding to reports of child abuse and neglect, especially as they interact respecting:

- Reporting suspected child abuse and neglect
- Investigating suspected child abuse and neglect
- Sharing information about suspected child abuse and neglect

The protocol is intended to:

- Facilitate collaboration between the Parties to ensure the safety, well-being and protection of children
- Support and be consistent with the Board of Education Child Protection Policy ## and School District Procedures for Reporting Child Abuse and Neglect
- Be consistent with relevant legislation including the *Child, Family and Community Service Act*, the *School Act*, and the *Freedom of Information and Protection of Privacy Act*
- Supplement the *BC Handbook for Action on Child Abuse and Neglect* (“the Handbook”). The Handbook contains important information not found in this protocol.

The protocol is not intended to create legal contractual relationships.

#### B. Terminology

In this protocol:

“**CFCSA**” refers to the *Child, Family and Community Service Act*, RSBC 1996, c. 46, as amended.

“**Child**” means a person under the age of 19.

“**Criminal offence warranting police involvement**” refers to an offence within police jurisdiction that either is required to be reported to police under school board policy or in the judgment of the school administrator requires the involvement of the criminal justice system to be appropriately dealt with. The courts have recognized that school authorities have discretion in the circumstances of many minor offences whether to deal with the matter through the school discipline process (which is more immediate in its consequences and so may be more effective) or whether to call in the police. Not every potential offence warrants police involvement.<sup>1</sup>

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<sup>1</sup> . Legal references: R. v. Keukens, [1993] O.J. No. 1223; R. v G.(J.M.), (1986) 56 O.R.(2dd) 705.

**“Child Welfare Worker”** refers to a person delegated under the *Child, Family and Community Service Act* to provide child welfare services, including responses to suspected child abuse and neglect. The Ministry of Children and Family Development employs Child Welfare Workers.

**“Child Welfare Authority”** refers to the Ministry of Children and Families.

**“The Handbook”** refers to [The BC Handbook for Action on Child Abuse and Neglect for Service Providers](#), 2017, published by the Ministry of Children and Family Development, or any successor publication.

**“Needs Protection”** refers to the situation of a child in any of the following circumstances, as defined by *CFCSA* s.13(1):

- a) the child has been, or is likely to be, physically harmed by the child’s parent;
- b) the child has been, or is likely to be, sexually abused or exploited by the child’s parent;
- c) the child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by another person and if the child’s parent is unwilling or unable to protect the child;
- d) the child has been, or is likely to be, physically harmed because of neglect by the child’s parent;
- e) the child is emotionally harmed by the parent’s conduct;
- f) the child is deprived of necessary health care;
- g) the child’s development is likely to be seriously impaired by a treatable condition and the child’s parent refuses to provide or consent to treatment;
- h) the child’s parent is unable or unwilling to care for the child and has not made adequate provision for the child’s care;
- i) the child is or has been absent from home in circumstances that endanger the child’s safety or wellbeing;
- j) the child’s parent is dead and adequate provision has not been made for the child’s care;
- k) the child has been abandoned and adequate provision has not been made for the child’s care; or
- l) the child is in the care of a director or another person by agreement and the child’s parent is unwilling or unable to resume care when the agreement is no longer in force

Working definitions of child abuse and neglect are contained in The Handbook (See pages 23-26.)

**“Parties”** means the agencies listed below as having approved this protocol.

**“Principal”** includes a vice-principal or other staff member designated by the principal of a school district school to fulfill the duties of the Principal under this Protocol Agreement.

**“SA”** refers to the *School Act*, RSBC 1996, c. 412, as amended.



**“Superintendent”** refers to the Superintendent of Schools appointed by the Board under the SA, and includes any person designated by the Superintendent to fulfill the Superintendent’s duties under this Protocol Agreement. [It is suggested that the Superintendent’s designate be specified by title in the interagency protocol, where applicable.]

### **C. Reporting and Investigation Procedures**

The Parties agree that the attached tables set out their expectations of their own responsibilities and their expectations of the responsibilities of the other Parties.

At the request of any Party, the Parties agree to meet, review the procedures set out in the attached tables and make amendments to supplement or amend them.

### **D. Parties**

The parties listed below agree to conduct their affairs in accordance with this Protocol.

Signed on behalf of The Board of Education of School District No. 51 (Boundary)

\_\_\_\_\_  
[Name, Title]

\_\_\_\_\_  
Date

Signed on behalf of Ministry of Children and Family Development

\_\_\_\_\_  
[Name, Title]

\_\_\_\_\_  
Date

Signed on behalf of RCMP

\_\_\_\_\_  
[Name, Title]

\_\_\_\_\_  
Date

## I. REPORTS OF CHILD ABUSE OR NEGLECT

*WHEN THERE IS A CONCERN THAT CHILD ABUSE/NEGLECT HAS OCCURRED:*

A. IN HOME ENVIRONMENT	B. BY SCHOOL PERSONNEL	C. BY OTHER CHILDREN	D. BY OTHER ADULTS – Volunteers & Contractors
<p>A school staff member must make a report to a Child Welfare Worker where the staff member has reason to believe that a child needs protection within the meaning of <a href="#">CFCSA s.13(1)</a>.</p> <p>At the earliest opportunity, the staff member must also report to the Principal that a report to a Child Welfare Worker has been made. The school staff member and the Principal can make the report jointly.</p> <p>Where the Principal or other staff member has reason to believe that the child is in immediate danger, the Principal must notify the Police. A police officer has authority to take charge of a child under <a href="#">CFCSA s. 27</a>. In other circumstances, a Child Welfare Worker is responsible for deciding whether and when to involve the Police.</p> <p>School staff members, while offering support, should not interview the child after receiving the child's first disclosure.</p> <p>For further information on recognizing and responding to suspected child abuse, see the Handbook.</p> <p>The child welfare worker will inform the person who reported regarding the steps in the investigation and the approximate time frame. (<a href="#">Handbook p. 46</a>)</p>	<p>A school staff member who receives information that another staff member may have engaged in child abuse must immediately report the information to the Principal or Superintendent. The Principal must immediately report such information to the Superintendent.</p> <p>The Superintendent must investigate the allegations and/or report the matter to the Police.</p> <p>Where the Superintendent believes that the alleged conduct may constitute a criminal offence warranting police involvement, the Superintendent must contact the Police.</p> <p>Should the Superintendent have any question as to whether the alleged conduct constitutes a criminal offence, clarification may be sought from the Police or legal counsel.</p>	<p>A school staff member must report to the Principal physically, sexually or emotionally abusive conduct between students at school. (<a href="#">Handbook p. 30-32</a>)</p> <p>The Principal will investigate the allegations of abusive conduct between students, in accordance with Board policy. [add link to applicable Board policies]</p> <p>The Principal or other staff member must report to a Child Welfare Worker where a child involved in the abusive conduct needs protection (e.g. where the circumstances lead the staff member to believe the perpetrator of the harm may have been the victim of abuse; or where the victim's parents are unable or unwilling to protect the child).</p> <p>The Principal will immediately notify the Police where a child is in imminent danger; where there is a serious threat to the safety of a student; or where the Principal believes that police involvement is otherwise warranted.</p> <p>The Principal must notify the Superintendent where a report has been made to a Child Welfare Worker or to the Police regarding abusive conduct between students at school.</p>	<p>Where a school staff member receives information that a school volunteer or contractor may have engaged in child abuse, this information must be immediately reported to the Principal or Superintendent</p> <p>The Principal must immediately report such information to the Superintendent.</p> <p>Where the Superintendent believes that the allegations against the volunteer or contractor may constitute a criminal offence warranting police involvement, the Superintendent must contact the Police.</p> <p>Where the contractor or volunteer has a supervisor or employer, the Superintendent may report the conduct to such supervisor or employer, as appropriate. Where police are investigating the matter, the Superintendent will first consult with the Police.</p> <p>The Superintendent must determine if the volunteer or contractor is suitable to work with students.</p>
Where there is immediate danger to the child, call the police immediately, then follow normal reporting procedure.			
For parental contact responsibilities, see section IV.			

## II. INITIAL RESPONSES AND INTER-AGENCY COOPERATION

*WHEN THERE IS A CONCERN THAT CHILD ABUSE/NEGLECT HAS OCCURRED:*

A. IN HOME ENVIRONMENT	B. BY SCHOOL PERSONNEL	C. BY OTHER CHILDREN	D. BY OTHER ADULTS – Volunteers & Contractors
<p>Following a report, the Child Welfare Worker assesses the appropriate response, which may include: immediate intervention to protect the child, a child protection investigation, family support or youth services.</p> <p>Should the Child Welfare Worker or a police officer wish to interview a child about a protection matter at school, the Child Welfare Worker or police officer will contact the Principal of the school and the Principal will facilitate the interview.</p> <p>The Child Welfare Worker will inform the Principal of information necessary to ensure the child's safety and wellbeing at school, or the safety and wellbeing of any other person : <a href="#">CFCSA s. 79</a></p>	<p>Where a Child Welfare Authority or the Police receive information that a school staff member may have engaged in child abuse, the Child Welfare Authority or police officer will advise the Superintendent in order that the Superintendent may institute a school district investigation or suspend the employee under <a href="#">S4 s.15(5)</a>.</p> <p>The Police will notify the Superintendent of Schools of any police investigation involving allegations that a school staff member may have engaged in criminal conduct that could threaten the welfare of students.</p> <p>If a Child Welfare Worker and/or the Police are investigating, the Superintendent will attempt to coordinate the school district investigation with the others where possible.</p>	<p>Where a Child Welfare Authority and/or the Police receive information regarding abusive conduct by a child that threatens the welfare of other children at school, the Child Welfare Worker or police officer shall immediately notify the Principal.</p>	<p>Where a Child Welfare Authority and/or the Police receive information that a school volunteer or contractor may have engaged in child abuse that could threaten the welfare of students, the Child Welfare Worker or police officer will notify the Superintendent.</p>
<b>For parental contact responsibilities, see section IV.</b>			

### III. RESPONSIBILITIES OF SCHOOL OFFICIALS

#### WHEN THERE IS A CONCERN THAT CHILD ABUSE/NEGLECT HAS OCCURRED:

A. IN HOME ENVIRONMENT	B. BY SCHOOL PERSONNEL	C. BY OTHER CHILDREN	D. BY OTHER ADULTS – Volunteers & Contractors
<p>The responsibilities of the Principal include:</p> <ol style="list-style-type: none"> <li>1. On an annual basis, reviewing with staff the duty to report child abuse and neglect under the CFCSA and the duties of confidentiality relating to such reports;</li> <li>2. Supporting staff in the making of reports;</li> <li>3. Advising staff to keep a written record of reports made under s. 14 of the CFCSA (child in need of protection) including what the child said, when the report was made, and the name of the Child Welfare Worker who received the report. Such reports are to be kept confidential and in a separate file and secure location;</li> <li>4. Cooperating with Child Welfare Workers and/or the Police, including facilitating a request from a Child Welfare Worker or police officer to interview a child at school on a child protection matter;</li> <li>5. Verifying the identity of Child Welfare Workers and/or police officers seeking to interview a child at school.</li> </ol>	<p>The responsibilities of the Superintendent include:</p> <ol style="list-style-type: none"> <li>1. Reporting to a Child Welfare Worker should any child protection issue arise;</li> <li>2. Contacting the Police where the alleged conduct constitutes a criminal offence warranting police involvement;</li> <li>3. Determining whether to initiate a School District investigation or await the outcome of any criminal investigation or charge;</li> <li>4. Initiating a School District investigation of the allegations against the staff member where determined appropriate;</li> <li>5. Considering whether to suspend the staff member pending the outcome of any District investigation, police investigation, or criminal charge;</li> <li>6. Cooperating with the Police when the Police are conducting a criminal investigation;</li> <li>7. Coordinating with the Police in the event of a simultaneous investigation of the allegations against the staff member by the Police and the District;</li> <li>8. Determining whether there is just cause for disciplinary or other action in relation to the allegation against the staff member;</li> <li>9. Providing counselling or other support to victim and any other affected students as appropriate.</li> </ol>	<p>The responsibilities of the Principal include:</p> <ol style="list-style-type: none"> <li>1. Determining appropriate disciplinary action or other remedial measures where there is abusive conduct between students, in accordance with Board policy; <i>[Add links or cross references to board policies on codes of conduct, student discipline, suspension rules.]</i></li> <li>2. Maintaining a written record of the disciplinary investigation and any report to a Child Welfare Worker and/or the Police; <i>[Specify where report records are to be filed. Such records are to be kept confidential and in a secure location]</i></li> <li>3. Cooperating with the Police or Child Welfare Worker, as appropriate, to provide for the safety of students and the school environment;</li> <li>4. Coordinating with the Police and/or Child Welfare Worker where either agency is involved in the matter;</li> <li>5. Providing counselling or other support to victim and any other affected students as appropriate;</li> <li>6. Reviewing the effectiveness of the remedial measures taken and considering whether other measures should be taken.</li> </ol>	<p>The responsibilities of the Superintendent include:</p> <ol style="list-style-type: none"> <li>1. Contacting the Police where the alleged conduct constitutes a criminal offence warranting police involvement;</li> <li>2. Reporting to a Child Welfare Worker should any child protection issue arise;</li> <li>3. Prohibiting the volunteer or contractor from being at school pending a determination of the allegations;</li> <li>4. Determining if the volunteer or contractor is suitable to work with students;</li> <li>5. Maintaining a written record of any reports to the Police or Child Welfare Workers. Such records are to be kept confidential and in a secure location;</li> <li>6. Providing counselling or other support to victim any other affected students as appropriate.</li> </ol>

#### IV. PARENTAL CONTACT

##### *WHEN THERE IS A CONCERN THAT CHILD ABUSE/NEGLECT HAS OCCURRED:*

A. IN HOME ENVIRONMENT	B. BY SCHOOL PERSONNEL	C. BY OTHER CHILDREN	D. BY OTHER ADULTS – Volunteers & Contractors
<p>School staff must not communicate their belief that a child has been abused or neglected to the parents.</p> <p>School staff are not responsible for determining whether parents are able to protect the child. A Child Welfare Worker makes this determination, in consultation with the Police.</p> <p>Any parental inquiries regarding the child should be referred to the Child Welfare Worker.</p>	<p>The Principal must notify the parents of allegations related to their child unless there are special circumstances, e.g., relating to a child protection or police investigation.</p> <p>Where a Child Welfare Authority or the Police are involved in the matter, the Principal will consult with the Police regarding notification of parents. In normal circumstances, the parents will be told if a report has been made to a Child Welfare Worker or police.</p> <p>When the Principal contacts the parent, the Principal may obtain further information that suggests a possible child protection concern. If the Principal has reason to believe that a parent is unwilling or unable to protect the child, or that a parent has abused or neglected a child or is likely to, the Principal must make a report to a Child Welfare Worker. If the Principal has a concern but is not sure whether it amounts to a reason to believe that a child needs protection, the Principal may consult with [Superintendent or specified district office staff] or a Child Welfare Worker.</p>	<p>The Principal must notify the parents of allegations related to their child unless there are special circumstances, e.g., relating to a child protection or police investigation.</p> <p>Where a Child Welfare Authority or the Police are involved in the matter, the Principal will consult with the Police regarding notification of parents. In normal circumstances, the parents will be told if a report has been made to a Child Welfare Worker or police.</p> <p>When the Principal contacts the parent, the Principal may obtain further information that suggests a possible child protection concern. If the Principal has reason to believe that a parent is unwilling or unable to protect the child, or that a parent has abused or neglected a child or is likely to, the Principal must make a report to a Child Welfare Worker. If the Principal has a concern but is not sure whether it amounts to a reason to believe that a child needs protection, the Principal may consult with [Superintendent or specified district office staff] or a Child Welfare Worker.</p>	<p>The Principal must notify the parents of allegations related to their child unless there are special circumstances, e.g., relating to a child protection or police investigation.</p> <p>Where a Child Welfare Authority or police are involved in the matter, the Principal will consult with the police regarding notification of parents. In normal circumstances, the parents will be told if a report has been made to a Child Welfare Authority or police.</p> <p>When the Principal contacts the parent, the Principal may obtain further information that suggests a possible child protection concern. If the Principal has reason to believe that a parent is unwilling or unable to protect the child, or that a parent has abused or neglected the child or is likely to, the Principal must make a report to a Child Welfare Worker. If the Principal has a concern but is not sure whether it amounts to a reason to believe that a child needs protection, the Principal may consult with [Superintendent or specified district office staff] or a Child Welfare Worker.</p>

## V. INVESTIGATIONS

### WHEN THERE IS A CONCERN THAT CHILD ABUSE/NEGLECT HAS OCCURRED:

A. IN HOME ENVIRONMENT	B. BY SCHOOL PERSONNEL	C. BY OTHER CHILDREN	D. BY OTHER ADULTS – Volunteers & Contractors
<p>The Child Welfare Worker and Police share responsibility for conducting the investigation. The details of the investigative process are established in local protocols between Child Welfare Authorities and the Police.</p> <p><i>[or may be spelled out in this document]</i></p>	<p>The Superintendent and/or the Police must investigate allegations against a school district staff member.</p> <p>The Superintendent may defer a school district investigation, at the request of the Police or where the Superintendent considers it appropriate to do so.</p> <p>If police and school district investigations are proceeding at the same time, the Superintendent must consult with the Police to ensure that the district investigation does not impede the police investigation.</p> <p>Where there is a police investigation, any notice of investigation (e.g., required under a collective agreement) or meetings with the employee and employee representatives should only take place after consultation with the Police.</p> <p>The Superintendent may suspend the staff member pending the district investigation or the police investigation into the allegations. <a href="#">SA s. 15(5)</a></p> <p><a href="#">The Superintendent and Board of Education may suspend a staff member charged with a criminal offence. SA s. 15(4),(5),(6),and (7)</a></p>	<p>The Principal is primarily responsible for investigating allegations of student misconduct at school.</p> <p>Where a student engages in conduct that may constitute a criminal offence, the Police may also investigate the matter.</p> <p>The Principal may, in consultation with the Superintendent or designate, defer the school investigation at the request of the Police or where the Principal considers it appropriate to do so.</p> <p>The Principal may suspend a student from school, in accordance with Board policy. <i>[add link to Board suspension rules policy]</i></p>	<p>Where the Police are conducting a criminal investigation, the Superintendent or designate will cooperate with the Police.</p> <p>The Superintendent may investigate allegations against a school volunteer or contractor, where appropriate.</p>
For parental contact responsibilities, see section IV.			



## VI. INTERVIEWS

### *WHEN THERE IS A CONCERN THAT CHILD ABUSE/NEGLECT HAS OCCURRED:*

A. IN HOME ENVIRONMENT	B. BY SCHOOL PERSONNEL	C. BY OTHER CHILDREN	D. BY OTHER ADULTS – Volunteers & Contractors
<p>If requested, the Principal must permit Child Welfare Workers and/or the Police to use school facilities to interview a child on a child protection matter.</p> <p>School staff may provide support for the child before, during and after the interview, where requested by the Child Welfare Worker or police officer.</p> <p>The Child Welfare Worker is responsible for briefing any staff person who is requested to be present at the interview of the child.</p>	<p>The Principal may allow the Police and/or Child Welfare Worker to use school facilities to interview a child who is alleged to be a victim of criminal conduct or where Child Welfare Workers are also carrying out a child protection investigation, if so requested. School staff may provide support for the child before, during and after the interview, where requested by the police officer or Child Welfare Worker.</p> <p>Where a police officer or Child Welfare Worker as well as school district personnel are investigating, joint interviews of student witnesses may be considered where they would reduce stress for the student(s) involved. The investigating police officer determines who will be involved.<sup>2</sup></p>	<p>The Principal may allow the Police and/or Child Welfare Workers to use school facilities to interview a student who is alleged to be a victim of criminal or abusive conduct, if so requested. School staff may provide support for the child before, during and after the interview, where requested by the police officer or Child Welfare Worker.</p>	<p>The Principal may allow the Police and/or Child Welfare Workers to use school facilities to interview a child who is alleged to be a victim of criminal or abusive conduct relating to the school. School staff may provide support for the child before, during and after the interview, where requested by the police officer or Ministry child welfare worker.</p>

<sup>2</sup> An independent investigator with specialist training may be retained by the School District to conduct student victim interviews, especially of young children.

## VII. INFORMATION-SHARING DURING INVESTIGATIONS

### *WHEN THERE IS A CONCERN THAT CHILD ABUSE/NEGLECT HAS OCCURRED:*

A. IN HOME ENVIRONMENT	B. BY SCHOOL PERSONNEL	C. BY OTHER CHILDREN	D. BY OTHER ADULTS – Volunteers & Contractors
<p>The Child Welfare Worker may inform the reporter who made the child abuse report of the result of the child protection investigation, as well as informing the parents and the child.</p> <p>The Child Welfare Worker will, in consultation with the Police, provide to the Principal and other school staff, information necessary to ensure the child's safety and well-being: <a href="#">CFCSA s.16(3), (5)</a>.</p> <p>School officials will cooperate with Child Welfare Workers and the Police by providing them with requested information necessary to carry out their investigations. School officials are permitted to provide police officers with personal information under <a href="#">FIPPA s. 33.2(i)</a>. Child welfare workers are entitled to information held by the school district notwithstanding the board's obligations under the <i>Freedom of Information and Protection of Privacy Act</i>: <a href="#">CFCSA s. 96</a>.</p> <p>School officials will keep records of who requested information and the information provided. <i>[Specify where records should be kept.]</i></p>	<p>The Police will share with the Superintendent information regarding the police investigation necessary to protect other students from abuse and to enable the District to take appropriate action with respect to the accused staff member.</p> <p>School officials will provide police officers with any staff or student personal information that they request to assist in the police investigation: <a href="#">FIPPA s. 33.2(i)</a>.</p> <p>School officials will keep records of who requested information and the information provided. <i>[Specify where records kept.]</i></p> <p>The Police will advise the Superintendent of any undertakings or orders that restrict an accused school staff member from being at or near school property.</p>	<p>The Police and Child Welfare Worker will share with the Principal information necessary to protect students from abuse and to enable the District to take appropriate action.</p> <p>The Police will advise the Superintendent of any undertakings or orders that restrict contact between students of the school.</p>	<p>The Police will share with the Superintendent information regarding the investigation necessary to protect other students from abuse and to enable the District to take appropriate action with respect to the volunteer or contractor.</p> <p>The Police will advise the Superintendent of any undertakings or orders that restrict any person from being at or near school property.</p>

## VIII. CONCLUDING AN INVESTIGATION

### *WHEN THERE IS A CONCERN THAT CHILD ABUSE/NEGLECT HAS OCCURRED:*

A. IN HOME ENVIRONMENT	B. BY SCHOOL PERSONNEL	C. BY OTHER CHILDREN	D. BY OTHER ADULTS – Volunteers & Contractors
<p>The Child Welfare Worker will determine whether the child needs protection in accordance with the <i>CFCSA</i> and Ministry policy.</p> <p>The Child Welfare Worker will report the results of a child protection investigation to</p> <ul style="list-style-type: none"> <li>the parent</li> <li>the person who initiated the report,</li> <li>the Principal of the school [or designated district official] if necessary to ensure the child's safety or well being in school</li> <li>the child, if the child is capable of understanding the information,</li> </ul> <p>unless such reports would cause harm or endanger the child or a criminal investigation is underway or contemplated. <a href="#">CFCSA s.16(3), (5)</a></p> <p>The Child Welfare Worker will inform the Principal of any change in the child's legal status or legal guardianship and any change in the child's living arrangements.</p> <p>The Police will advise the Principal of any orders or undertakings that restrict a person from being at or near school property.</p>	<p>The Superintendent will decide, after the investigation has concluded, whether there is just cause for disciplinary action.</p> <p>The Superintendent will report to the parents (and/or student as appropriate) that the allegations have been investigated, whether they have been substantiated and whether any disciplinary action has been taken.</p> <p>The Superintendent will decide whether a report to the BC College of Teachers is required under <a href="#">SA s.16</a>.</p> <p>The Police<sup>3</sup> will inform the Superintendent of the outcome of any criminal investigation involving school staff.</p> <p>If the circumstances indicate that a civil claim is likely to be made against the school district or its staff or volunteers as a result of the incident, the Secretary Treasurer is responsible for ensuring that a report is made to the School Protection Program.</p>	<p>The Principal, in consultation with the Superintendent, will take appropriate disciplinary action or other remedial measures to address the student conduct.</p> <p>The Police will inform the Superintendent of the outcome of any criminal investigation involving allegations of abusive conduct between students at school.</p> <p>The Police<sup>4</sup> will advise the Principal of any orders or undertakings that restrict a person from being at or near school property or restrict contact between students.</p> <p>If the circumstances indicate that a civil claim is likely to be made against the school district or its staff or volunteers as a result of the incident, the Secretary Treasurer is responsible for ensuring that a report is made to the School Protection Program.</p>	<p>The Superintendent will determine if the volunteer or contractor can provide services at school.</p> <p>The Police will inform the Superintendent of the outcome of any criminal investigation involving the school volunteer or contractor.</p> <p>The Police<sup>5</sup> will advise the Principal of any orders or undertakings that restrict a person from being at or near school property.</p> <p>If the circumstances indicate that a civil claim is likely to be made against the school district or its staff or volunteers as a result of the incident, the Secretary Treasurer is responsible for ensuring that a report is made to the School Protection Program.</p>

**Note:** To find out the outcome of a court proceeding, Crown Counsel may be contacted. Youth Court records may be disclosed to school authorities (a) to ensure compliance by the young person with an order or undertaking; (b) to ensure the safety of staff, students or other persons; or (c) to facilitate the rehabilitation of the young person (YCJA s. 125(6)).

<sup>3</sup> This may involve other justice agencies such as Probation Services

<sup>4</sup> This may involve other justice agencies, such as Youth Probation Services.

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