
HORIZON SCHOOL DIVISION

POLICY HANDBOOK

Policy Code:	IHEB
Policy Title:	Child Abuse and Neglect
Cross Reference:	GAA, IFGA
Legal Reference:	Child, Youth and Family Enhancement Act (2004), Responding To Child Abuse Handbook (2005)Alta. Gov't, Teacher Code of Conduct
Adoption Date:	June 25, 1997
Amendment or Re-affirmation Date:	June 2023

POLICY

THE BOARD OF TRUSTEES OF HORIZON SCHOOL DIVISION EXPECTS THAT ALL SCHOOL PERSONNEL OPERATE UNDER A “DUTY OF CARE” TO STUDENTS AND MUST FULFILL THAT DUTY AS IT RELATES TO THE STUDENTS’ SAFETY AND WELL-BEING. IT IS THE POLICY OF THE HORIZON SCHOOL DIVISION THAT ALL SCHOOL PERSONNEL COOPERATE WITH CHILD INTERVENTION PERSONNEL IN CARRYING OUT THEIR DUTIES IN SITUATIONS OF CHILD ABUSE AND NEGLECT. WHILE SCHOOL BOARD PERSONNEL SHOULD CO-OPERATE WITH THESE AGENCIES, THEY MUST FIRST AND FOREMOST ACT IN THE BEST INTERESTS, SAFETY, AND WELL-BEING OF STUDENTS.

DEFINITIONS

Child abuse: is defined by the Child, Youth, and family Enhancement Act and can include: neglect (lack of necessities of life, or adequate care and supervision); emotional abuse, physical abuse, and/or sexual abuse.

- **Neglect** is any lack of care that causes serious harm to a child's development or endangers the child in any way. Failure to meet the child's day-to-day basic physical needs includes not providing adequate nutrition, clothing, shelter, health care, appropriate supervision and protection from harm. Emotional neglect is not meeting the child's ongoing emotional needs for affection and a sense of belonging.
- **Emotional abuse** is verbal attacks on a child's sense of self, repeated humiliation or rejection, exposure to violence, drugs, alcohol abuse, severe conflict, forced isolation, restraint or causing a child to be afraid much of the time. Emotional abuse is usually part of a pattern of how the child is being treated.
- **Physical abuse** is the intentional use of force on any part of a child's body that results in injuries. It may be a single incident or a series or pattern of incidents.
- **Sexual abuse** is the improper exposure of a child to sexual contact, activity or behaviour. It includes any sexual touching, intercourse, exploitation or exposure and can be perpetrated by anyone, including a parent or guardian, caregiver, extended family, friend, neighbour or stranger.

REGULATIONS

1. **Obligation to Report**

- 1.1. Section 4 of the Child Youth and Family Enhancement Act (2004) outlines the legal obligation to report to Child Intervention Services.
 - 1.1.1. Any person who has reasonable and probable grounds to believe that a child is in need of intervention shall forthwith report the matter.
 - 1.1.2. It is mandatory for all school personnel to report every case where there are reasonable and probable grounds of suspected abuse.

- 1.2. S.1.1 of the Code of Professional Conduct for Teachers and Teacher Leaders outlines obligations to report to the commissioner
 - 1.2.1. in addition to other reporting required by law, report to the Commissioner the conduct of another teacher or teacher leader who is alleged to cause or to have caused psychological, emotional, physical or sexual harm or abuse to a student.
- 1.3. Policy GAA states, “in addition to other reporting required by law, report to the Superintendent the conduct of another employee who is alleged to cause or have caused psychological, emotional, physical or sexual harm or abuse to a student.”
 - 1.3.1. No action lies against staff reporting unless the reporting is done maliciously or without reasonable and probable grounds for the belief.
 - 1.3.2. Staff do not need permission before making a direct report.
 - 1.3.3. It is the responsibility of the person who has recognized issues of concern or received reports regarding the child to notify a Child Intervention Services Caseworker via Child and Family Services Crisis Unit (1-800-638-0715), The Child Abuse Hotline (1-800-387-5437) or the police.
 - 1.3.3.1. Notification must come from the person who received the information firsthand and not from a third party.
- 1.4. Staff shall notify the principal when they report abuse.

2. Reporting Procedures

- 2.1. The staff member may choose to have the Principal present during the report.
- 2.2. Teachers do not need specific permission from a Principal before making a report directly to Child Intervention Services.
- 2.3. Principal shall not direct a teacher not to report if the teacher believes abuse exists.
- 2.4. Staff should be prepared to provide the following information to caseworkers or police:
 - 2.4.1. Information about yourself
 - 2.4.1.1. How you know the child and their family.
 - 2.4.1.2. How long you have known them.
 - 2.4.1.3. What you saw, heard or believe may be happening, or what someone else told you.
 - 2.4.1.4. Whether the child or family knows you are calling.
 - 2.4.1.5. Anyone else you know who could provide information about the child or family.
 - 2.4.1.6. If you are willing to assist the child and family going forward.
 - 2.4.2. Information about the child or youth
 - 2.4.2.1. Their name, age, gender, address and phone number.
 - 2.4.2.2. Any concerns for the child’s immediate safety.

Policy IHEB - *Child Abuse and Neglect, Cont'd.*

- 2.4.2.3. Whether the child or youth is with you or somewhere else right now.
- 2.4.2.4. What other support people the child has in their life.
- 2.4.2.5. Whether they go to child care or school, and the name and location if they do.
- 2.4.2.6. The child's cultural identity (for example, Indigenous, African, European, etc.).
- 2.4.2.7. Any medical conditions, behavioural or development concerns that you are aware of.
- 2.4.2.8. What the child may have told you about the abuse, including when and where they said it happened and how long it has been going on.

2.4.3. Information about the parents or guardians

- 2.4.3.1. The parents' or guardians' names, approximate ages and address.
- 2.4.3.2. Where they live, work or go to school.
- 2.4.3.3. Any information about their family relationships and supports.
- 2.4.3.4. Any information about their cultural connections or supports.
- 2.4.3.5. Any strengths that they may have.
- 2.4.3.6. Whether there are any professionals or agencies supporting the family.
- 2.4.3.7. their ability to understand English or any other communication issues.
- 2.4.3.8. Whether they know about the concern or are involved in it.
- 2.4.3.9. Anything about the situation or the parents or guardians that would cause a threat for an investigator.

2.4.4. Information about the abuser

- 2.4.4.1. The abuser's name, approximate age and address.
- 2.4.4.2. What they look like.
- 2.4.4.3. The vehicle they drive and the license plate number.
- 2.4.4.4. Where they live, work or go to school.
- 2.4.4.5. Anything about the situation that would cause a threat for the child, youth or an investigator.

2.5. The principal and superintendent are to be informed when staff become aware of child abuse allegations against students, staff, or volunteers.

2.6. In the event that threats are made against school personnel or the child as a result of reporting suspected child abuse, the principal is advised to call the police.

3. Recording of Information

3.1. The information on which a report is made is considered confidential and shall not be disclosed under other legislation.

3.2. Written records of suspected child abuse and/or neglect must be kept separate and secure and disclosed only to police or Child Intervention Services caseworker. Once reported, the written records shall be destroyed.

3.3. School personnel should record information that the child discloses without interviewing or probing for more information.

Policy IHEB - *Child Abuse and Neglect, Cont'd.*

3.3.1. Information should be recorded in the child's own words.

4. Notification of Parents

4.1. Staff shall not notify parents about abuse investigation.

4.1.1. It is the responsibility of the investigative team to determine when to notify parents.

4.1.2. The Principal should clarify with the investigator when contact with the parents will be made, particularly when

4.1.2.1. the child is being apprehended, or

4.1.2.2. his/her return home delayed.

4.2. If parents inquire the abuse investigation interview or apprehension, the principal should inform the parents of their legal right to cooperate, maintain confidentiality, and provide the investigator's name and telephone number to the parents.

5. Identification of Investigators

5.1. Investigators shall be required to identify themselves.

5.2. Staff should ask the Caseworker or police officer :

5.2.1. to present identification;

5.2.1.1. Caseworkers carry both an employee identification card with photograph and a letter of authority to investigate under the *Child, Youth and Family Enhancement Act*.

5.2.1.2. Peace Officers (Royal Canadian Mounted Police or Municipal Police) who investigate a suspected incident under the *Criminal Code of Canada* or the *Child Youth and Family Enhancement Act* carry identification cards.

5.2.2. to explain the nature of the investigation being conducted; and

5.2.3. to state their reasons for conducting the interview in the school.

5.3. School principal or designate must fill out the form IHEB (Attachment A) when authorities request;

5.3.1. Information;

5.3.2. access to investigate or interview; or

5.3.3. access to apprehend.

Policy IHEB - *Child Abuse and Neglect, Cont'd.*

- 5.4. Attachment A should not be placed in the student record / uploaded in to the PASI cum file and should be destroyed after 1 year.
- 5.5. Staff are expected to cooperate with those involved in investigating suspected cases of child abuse.

6. Access to Students

- 6.1. Caseworkers or police may request permission to interview the child on school premises.
 - 6.1.1. As a general rule, caseworkers should not use school premises for ongoing case interviews.
 - 6.1.2. The Caseworker must communicate what authority they have (i.e. an apprehension order for the child) in order to enter the premises, remove a child from a classroom and commence an interview with the child.
 - 6.1.3. Caseworkers have the authority to transport a child to any place in order to complete the investigation without parental approval or notification.
- 6.2. School personnel should cooperate with caseworkers and police requesting access to a student at school for the purpose of investigating allegations of abuse.
- 6.3. When the caseworker or police need access to a student during school hours, the reasons should be discussed with the Principal to make appropriate arrangements.
- 6.4. Caseworker or police should have an apprehension order when they remove a child from school.

7. Presence of School Personnel during Investigative Interview.

- 7.1. The principal fulfills his/her responsibility for the safety and protection of the students by cooperating and assisting with Child Intervention and police investigations.
- 7.2. It is recommended that interviews be conducted in private unless the Child Intervention Services' Caseworkers or child specifically requests that a principal or designate be present or the child otherwise demonstrates that they require the supportive but non-participating presence of a familiar school employee.
- 7.3. No child is required or pressured to make a statement or provide information that they are not prepared to reveal.

8. Interviewing of School Personnel

- 8.1. Where the allegation involves staff as the suspected offender, the investigating team should inform the principal.
 - 8.1.1. School officials should not interview or advise the suspected offender until after consulting with the investigators.

Policy IHEB - *Child Abuse and Neglect, Cont'd.*

- 8.2. Child Intervention or police authorities investigating a complaint of child abuse may wish to interview staff who may have specific information pertinent to the investigation. The Principal should assist the investigators by identifying and facilitating these contacts.
- 8.3. Potential informants should be advised that informants may be required to give evidence under oath in court and to produce relevant documents, it is recommended that information provided to the investigator be summarized in writing by the informant immediately after the interview and retained for possible future reference.

9. Suspected Abuse by Staff or Other Students

- 9.1. Abuse by school personnel or another student is not covered by the Child, Youth and Family Enhancement Act.
- 9.2. Should staff suspect such abuse, they shall immediately make a report to the principal or superintendent.
 - 9.2.1. There is no legal requirement of school personnel to notify police of a potential or suspected crime.
 - 9.2.2. If there is abuse, the parent/guardian should be the person reporting the matter to police.

10. Information Feedback to Schools

- 10.1. Once the initial response to a report is completed, Caseworkers should ensure the principal and the school personnel who made the report are informed and given all information they need to provide education services to the child.
- 10.2. The resolution of the complex issues in any case of child abuse does not end with reporting. Effective case management plans include provision for case-monitoring and follow-up with schools.

Form IHEB – Attachment A



HORIZON SCHOOL DIVISION
REQUEST FOR ACCESS/DISCLOSURE OF INFORMATION

Freedom of Information and Protection or Privacy Act

PUBLIC BODY REQUESTING ACCESS/INFORMATION

Pertaining to _____, in accordance with Section 40(1)(a) of the
(Name of Student)
Freedom of Information and Protection of Privacy Act, the _____
(Name of Public Body)

hereby requests:

Disclosure of student information.

The information requested may be generally described as:

Access to the student to interview at the school.

Permission to take the student away from the school to interview.

Location of interview: _____

Apprehension of the student from the school as per:

Apprehension Order **OR** Serious and Imminent Danger

Estimated parent contact time _____

This information is required by this public body pursuant to:

(Reference to a Federal or Provincial Statute by Section or Description of Purpose)

_____ Name and Title of Requesting Official #1	_____ Office Phone Number	_____ Cellular Phone Number
_____ Signature of Requesting Official #1	_____ Date	<input type="checkbox"/> Photo Identification
_____ Name of Supervisor		
_____ Name and Title of Requesting Official #2	_____ Office Phone Number	_____ Cellular Phone Number
_____ Signature of Requesting Official #2	_____ Date	<input type="checkbox"/> Photo Identification
_____ Name of Supervisor		

**A copy of this page of the document can be given to the requesting official, if requested.*

FOR HORIZON SCHOOL DIVISION USE ONLY

- Is this student identified as Special Needs/ESL? Yes No
If yes, was this information shared with the requesting official?
 Yes No If no, why not: _____
- Disclosure of student information as requested is:
 N/A Approved Denied Reason if denied: _____
- Access to the student to interview at the school as requested is:
 N/A Approved Denied Reason if denied: _____
Indicate the time of access (if applicable): _____

School staff present during interview with student: Yes No
If yes, _____
Name of School Staff Member Position of School Staff Member
- Request to take the student away from the school to interview as requested is:
 N/A Approved Denied Reason if denied: _____
Indicate the time the student is taken (if applicable): _____
Indicate the time the student is returned to school (if applicable): _____
- Request to apprehend the student from the school as requested is:
 N/A Approved
Indicate the time the student is apprehended from the school (if applicable): _____
Apprehension order document shown: Yes N/A

Additional comments:

Name of Principal or Administrative Designate

Date

Signature of Principal or Administrative Designate

***This document should be shredded after one year.**

*This completed document may qualify for exception under *Section 19* of the *Freedom of Information and Protection of Privacy Act*