

**ST. CLAIR CATHOLIC DISTRICT SCHOOL BOARD  
POLICIES AND PROCEDURES  
SECTION C: STUDENTS**

<b>CHILD ABUSE AND NEGLECT</b>	<b>PROCEDURES</b>
<b>EFFECTIVE:</b> 2000 12 01 / 2006 10 24 / 2010 09 29 / 2016 05 24	

**ADMINISTRATIVE PROCEDURES:**

**REFERENCES:**

Child and Family Services Act R.S.O. 1990

Child and Family Services Act, 2001, Section 72

Municipal Freedom of Information and Protection of Privacy Act

Criminal Code of Canada

Youth Criminal Justice Act

Reporting Child Abuse and Neglect: It's Your Duty

Your responsibilities under the Child and Family Services Act

<http://www.children.gov.on.ca/htdocs/english/documents/topics/childrensaidd/Reportingchildabuseandneglect.pdf>

Professional Advisory Duty to Report. Ontario College of Teachers June 2015

<https://www.oct.ca/-/media/PDF/2015%20Professional%20Advisory%20Duty%20to%20ReportENWEB2.pdf>

The Duty to Report under the Child and Family Services Act. The Ontario College of Social Workers and Social Service Workers

<http://www.ocswssw.org/wp-content/uploads/2014/11/The-Duty-to-Report-under-the-Child-and-Family-Services-Act.pdf>

**DEFINITIONS:**

The *Child and Family Services Act* (CFSA) define a child as a person under sixteen (16) years of age. A person subject to a protection order, for example an order of supervision or wardship, is considered to be a child until they attain eighteen (18) years of age. A child protection investigation cannot be undertaken with regards to a sixteen or seventeen year old who is not the subject of a child protection order. Allegations of neglect/abuse involving such young people are investigated by the police under the assault or sexual assault provisions of the Criminal Code.

The CFSA provides a list of criteria which defines a *child in need of protection*. Many of the criteria conform with the traditional perception of what constitutes abuse. Other criteria trigger the duty to report because the child requires assistance of some form, for example, medical treatment or counselling, and the parent or guardian is unavailable or unwilling to take action.

***A child is in need of protection*** in any of the following circumstances:

- a) the child has suffered physical harm, inflicted by the person having charge of the child or caused by that person's failure to care and provide for or supervise and protect the child adequately;
- b) there is a substantial risk that the child will suffer physical harm inflicted or caused as described in clause (a);
- c) the child has been sexually molested or sexually exploited, including by child pornography, by the person having charge of the child or by another person where the person having charge of the

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child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;

- d) there is a substantial risk that the child will be sexually molested or sexually exploited as described in clause (c);
- e) the child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment;
- f) the child has suffered emotional harm, demonstrated by severe anxiety, depression, withdrawal or self destructive or aggressive behaviour and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm;
- g) there is substantial risk that the child will suffer emotional harm of the kind described in clause (f), and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm;
- h) the child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition;
- i) the child has been abandoned, the child's parent had died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody;
- j) the child is less than twelve years old and has killed or seriously injured another person or damaged another person's property, and services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment;
- k) the child is less than twelve years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

#### **Responsibilities:**

1. The Director of Education is responsible for:
  - implementing and operationalizing the Child Abuse and Neglect Policy.
2. Superintendents of Schools are responsible for:
  - offering support and advice to administrators.
3. Principals are responsible for:
  - ensuring that staff are trained every year about the legal duty to report child protection concerns;
  - providing information to volunteers about the legal duty to report abuse and neglect;
  - ensuring that staff are supported to contact the CAS in a timely fashion.
4. All staff and volunteers have a legislated duty to report.

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#### LEGISLATED DUTY TO REPORT

##### Duty to Report

The *Child and Family Services Act* (s 72) states that:

“A person who believes on reasonable grounds that a child is or may be in need of protection shall forthwith report the belief and information upon which it is based to a society.”

Any employee who, in the course of his/her duties, has reasonable grounds to suspect that a child has been abused or is at risk of being abused, has a legal responsibility to immediately report his/her suspicions directly to the Children's Aid Society regardless of whether the alleged perpetrator is a family member, a community member, a school board staff or a volunteer.

No action for making the report shall be instituted against a person who acts in accordance with the legislation unless the person acts maliciously or without reasonable grounds for suspicion.

Professional persons and school board officials have the same duty as any member of the public to report. As such, where there are reasonable grounds to suspect that a child is in need of protection, principals, vice-principals, teachers, social workers, psychologists, child and youth workers, speech and language pathologists, etc., must also report the suspicion and the information on which the suspicion is based to the CAS. This duty to report applies although the information reported may be confidential or privileged.

Teachers, principals, vice-principals and non-teaching professionals are advised that their failure to report where there are *reasonable grounds to suspect* that a child is in need of protection can lead to a conviction of an offence which is subject to a fine of not more than \$1,000. A failure to comply with the CFSA is a defined ground of professional misconduct under the Ontario College of Teachers Act.

##### Duty to Report Directly

The individual employee who suspects abuse or neglect must contact CAS directly; thus supervisors cannot call on a staff member's behalf.

“A person who has a duty to report a matter under subsection (1) or (2) shall make the report *directly* to the Society and shall not rely on any other person to report on his or her behalf” (s 72).

While the employee *must report and discuss the situation with the principal of the school*, the onus remains on the person who suspects abuse to report the matter promptly to the CAS.

If the principal disagrees with the employee's decision to report, it is still the employee's responsibility to report his/her suspicions of abuse or neglect to the CAS.

##### Ongoing Duty to Report

Employees must report each additional occurrence of abuse regarding the same child to the CAS.

“A person who has additional reasonable grounds to suspect that a child is in need of protection, shall make a further report even if he or she has made previous reports with respect to the same child” (s 72).

Thus, for example, if an employee reported suspicions of child abuse or neglect to the CAS, and a new but similar set of circumstances comes to the employee's attention, the employee must report that new information to the CAS again, regardless of whether or not a CAS investigation is already under way.

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#### PROCEDURES FOR REPORTING ABUSE/NEGLECT

##### Step One: Determining When to Report

Some children will disclose to a staff member directly that they are being neglected, hurt, or abused or there will be indicators that the employee observes which lead him/her to suspect a child is in need of protection. If this is the case, the employee should *immediately* make a report to the Children's Aid Society.

If an employee is *unsure* of whether there is cause to report, the following steps should be taken:

- The employee shall consult with his/her principal or supervisor regarding his/her concerns.
- The principal should consult with the Social Worker and or Child/Youth Worker assigned to the school and/or the Board Mental Health Lead.
- Observe the child. Refer to Appendix A for a list of definitions and indicators of abuse and neglect.
- Record observations. See Appendix B for suggestions for keeping a documentation diary.
- For further assistance in determining whether reasonable grounds exist to report suspected abuse or neglect, Board employees are encouraged to consult with CAS about a given situation (See Appendix F for current phone numbers). At this time, record the name of the CAS worker, and the date and time of the phone call.

If it is determined through the above steps that there are insufficient grounds to report to the CAS, continue to document the case noting dates, specific situations and direct quotes from discussions with the child (see Appendix B).

##### Step Two: Reporting

Where an employee has reasonable grounds to suspect abuse or neglect, he/she must notify the principal of the child's school immediately. If the principal does not support the decision to report, it is still the employee's responsibility to report his/her suspicion of abuse.

The principal or designate should be present while the employee reports the incident to the Children's Aid Society. This is intended as a support for the employee; however, securing the principal's presence must not unduly delay the reporting of the incident.

Where an employee has a reasonable suspicion of abuse, it is the responsibility of the employee to make a *direct and immediate* report to the CAS (see Appendix C for oral reporting guidelines).

If the principal is unavailable for consultation at the time of reporting to the CAS, the employee should notify the principal's designate. Following this, the principal should be informed as soon as possible regarding the situation.

The employee will obtain a *Report of a Suspected Child in Need of Protection Form* (Appendix D) from his/her principal and provide the required written documentation.

In addition to reporting to the CAS, the employee or the principal should obtain information, where possible, regarding the following:

- Will the child be interviewed? When and where will this interview take place?
- Do the investigators plan to come to the school or home? When?

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- Should the parents be contacted? See *Informing Parents/Legal Guardians* for additional information.

Once a report has been made, the principal will follow the CAS instructions regarding the care of the child.

#### **Step Three: Documentation**

It is not the employee's responsibility to prove that the student has been abused or neglected or to determine whether the student is in need of protection. Consequently, beyond the acknowledgement of the initial disclosure, the employee must not investigate or interview the alleged victim, witness, staff or other students. The Children's Aid Society worker has the prime responsibility for the protection of the child and the investigation of the alleged abuse under the *Child and Family Services Act*. The Police Department has the prime responsibility for the investigation of the alleged offence under the Criminal Code of Canada.

Documentation of concerns about a child is of great importance in helping to clarify the situation and is critical to the CAS in their response to the report. Use the *Report of a Suspected Child in Need of Protection* form provided as Appendix D. Completion of this form should be based on factual data only. Refrain from including personal opinions.

The *Report of a Suspected Child in Need of Protection* form shall be completed by the employee who made the report to the CAS at the earliest possible time thereafter. It will subsequently be signed by the school principal and then sent immediately to the CAS. The Children's Aid Society intake worker will take more detailed notes during the interview with the reporting person.

Apart from the form required (Appendix D) by the Board, the teacher, support staff person, and principal, must keep detailed records (Appendix B) at all stages of the process with regard to their involvement.

All documentation with respect to a child in need of protection is confidential and is to be safeguarded as such. This documentation is not considered part of the Ontario Student Record but should be kept on file in the principal's office.

Documentation should be factual (including dates and times), be brief and to the point and contain questions asked of the student and verbatim responses if possible.

#### **Step Four: Informing the Parent(s)/Legal Guardian(s)**

The principal or designate, in consultation with the Children's Aid Society, will determine when the parent will be informed of the referral and by whom. Unless agreed upon by both parties, it is the obligation of the Children's Aid Society to inform the parent of the referral.

*Informing the parents prematurely of the Children's Aid Society involvement may seriously jeopardize the investigation and interfere with the protection of the child.*

In the case of an apprehension of a child by the CAS, the parents/guardians should be informed of the situation by the Children's Aid Society prior to the end of the school day.

#### **Step Five: CAS/Police Investigation**

The following can be expected when an abuse allegation has been made:

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When the CAS receives a report of alleged abuse pertaining to a child under the age of 16, it must, within the shortest time period possible and not exceeding 24 hours, decide whether or not to proceed with an investigation.

The decision-making process may include reviewing any previous child abuse or neglect in the family and consulting the provincial Child Abuse Register to determine whether the alleged abuser is listed as being previously involved in the abuse of a child.

Once a decision is made to proceed with an investigation, a decision to request the assistance of the police in the investigation is the responsibility of the CAS worker in consultation with his/her supervisor. If this course of action is taken, the CAS worker will contact the police to jointly decide how they will proceed. If a joint investigation is warranted, the CAS worker and the police officer, as a team, collect evidence and interview the child, the parents and any professionals or witnesses involved.

A decision as to whether the child should be interviewed on school premises will be determined by the CAS worker in consultation with his/her supervisor. The seriousness of the allegation, the safety of the child, the integrity of the investigation and relevant welfare file history are factors considered when making this decision. The CAS worker will contact the school principal to provide notification of the decision to interview the child(ren) on the school property.

Upon arrival at the school, the CAS worker will report to the principal or designate, present appropriate child welfare identification, and discuss the plan for the investigation. At this point, the CAS (and police, if applicable) are in charge and responsible for the investigative plan.

Having the interests of the students at the forefront, the school will co-operate and collaborate with the CAS/police during the investigation.

The CAS worker and his/her supervisor have the responsibility of determining at what point in the investigation the parents should be notified of the allegation.

As a *general rule*, the CAS/police may conduct an interview with a pupil at the school *only* with the prior consent of at least one of the legal guardian(s) and in his/her presence if requested. The exceptions would be as follows:

- In those cases in which the CAS/police have determined that the best interests of the child require that an interview should take place without the prior knowledge and the absence of the parents, the St. Clair Catholic District School Board will permit the principal to depart from the *general rule* described above. The need to proceed with these investigations without consent and knowledge of the parents is especially necessary when the child in question is alleged to be the victim of sexual abuse which may be perpetrated by a family member.
- When the alleged child in need of protection, sibling or other children potentially involved are being interviewed at the school, and the CAS has determined that the parent/guardian should not be informed prior to the interview, the principal or designate will be present during the interview. If a designate is used, this person should be someone who is known by the child and has a good relationship with the child. The role of school personnel is as an observer and support only.

Where it is clear that the investigation will not be placed in jeopardy and the principal has confirmed this with the CAS, the parents/guardians will be contacted prior to their child(ren) being interviewed at school.

The CAS worker will carry out detailed interviews with any person who may have significant information or observations about the child in question, and any witnesses to the alleged child protection concerns.

At the conclusion of the investigation, the CAS worker, in consultation with his/her supervisor, will review all relevant information and determine whether the reported child protection allegation is substantiated.

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It is the responsibility of the CAS worker to notify the referral source of the results of the investigation provided the parents of the child have executed appropriate releases of information. It is the responsibility of the CAS worker to make every effort to have releases signed by the parents.

#### **SHARING OF INFORMATION**

The CAS may initiate contact with a school, or with the Board office, when investigating a report of abuse initiated from sources outside of the school.

When initiating a protection investigation, the CAS worker must establish the whereabouts of a child, collect information from a variety of collateral sources regarding the protection and safety of the child, and make arrangements to interview the child in the school either with or without parental permission.

During an investigation, information may be sought without a Release of Information, as parental contact to acquire a release may seriously impede the investigation.

When initiating contact, the CAS worker must inform the principal that he/she is investigating an allegation that a child is in need of protection and is seeking information to assist in the investigation.

When receiving a call requesting information about a student, the principal should take every precaution to ensure that the caller is a worker with the Children's Aid Society. The principal should inform the caller that he/she will call them back immediately. At this time, the principal will contact the office of CAS and confirm the identity of the caller.

Having confirmed the identity of the caseworker, school personnel should co-operate fully in the investigation.

#### **ALLEGATION OF CHILD ABUSE AGAINST A BOARD EMPLOYEE**

##### **Fundamental Principles**

When an employee is accused of child abuse, that employee is entitled to a presumption of innocence until a full investigation determines otherwise.

In order to protect the rights and privacy of the employee and student(s) involved, confidentiality and containment are very important.

##### **When a Complaint is Made**

In a situation where a teacher, support staff or other Board employee is suspected of conduct which places a child in need of protection, the principal or supervisor will be notified when a report to the CAS is being made and the principal or supervisor will notify the appropriate Superintendent of Education. In situations where a principal is suspected of such conduct, the Superintendent of Education will be directly notified.

A staff person or volunteer who has made a report to the CAS and has notified the principal regarding a specific situation and is not satisfied with the response, may contact the designated superintendent directly.

Under no circumstances should the implicated staff member be contacted regarding an allegation or disclosure until specific instructions are received from the investigating police or CAS. Notwithstanding any Regulation made under the Teaching Profession Act, a teacher shall NOT report to a fellow teacher that an allegation or disclosure has occurred. This procedure is designed to secure the safety of the student, to ensure that the rights of the victim and the accused person are protected, and to prevent possible destruction of evidence.

The Board will undertake to ensure the safety of any other alleged or potential victims through whatever means deemed appropriate, including interim suspension of the employee or removal from the school

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setting. School board staff and volunteers are expected to be supportive of a student, who has come forward, and will respect and protect the confidentiality of the disclosure within legal confines. Only staff who need to know and who will in no way jeopardize the investigation will be informed of the disclosure.

The Board will fully cooperate with the CAS and the police in any investigation and provide access to any relevant information within legal confines.

In instances involving school personnel, it must be remembered that the Board has two key areas of responsibility:

- i) Acting in “loco parentis” for children registered within their school system
- ii) Serving as the employer of the person who is the alleged abuser. It is the employer’s determination whether the accused employee shall be relieved of duties or re-assigned during an investigation. The CAS may advise the employer in this regard.

Where a situation involving a staff person is reported to the CAS or the police, and they decide not to pursue the matter, the matter shall be reviewed by the appropriate Superintendent of Education in order to establish whether further action is warranted.

The Superintendent of Education will be responsible for ensuring that an internal investigation of circumstances is conducted. The investigation shall be coordinated in consultation with the investigating CAS and the police.

It is clear, according to legal precedents set down in labour arbitration cases, that the employer does have the right to suspend or terminate employment, without awaiting for the outcome of criminal charges and independent of the results of such criminal proceedings. In this case, the standard of proof is reasonable probability.

When the allegation is unfounded, the employee has a right for continued employment. Placement will be determined by the Board, in consultation with employee.

The principal of the school shall advise the child and family that support and counselling can be facilitated by the school Social Worker/Child and Youth Worker.

#### **FREQUENTLY ASKED QUESTIONS**

See Appendix E.

#### **COMMUNITY RESOURCES**

See Appendix F.

#### **ONGOING IMPLEMENTATION**

The Administrative Procedures will be reviewed by the Superintendent of Education, responsible for Special Education, on an annual basis to ensure compliance with the Child and Family Services Act.

Principals will review with school staff on an annual basis the legal requirements and administrative procedures for reporting suspected child abuse. School staff includes teachers, educational assistants, school secretaries, custodians, volunteers, noon-hour supervisors and any other person regularly present in the school.

#### **Additional Information**

The St. Clair Catholic District School Board is committed to the principles of equity and inclusive education, consistent with our Catholic teachings, which value and promote human rights and social justice in all Board policies, programs, guidelines, operations and practices.





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#### SEXUAL ABUSE

Sexual abuse is the use of a child for the sexual or erotic gratification of a caregiver or other person, performed with or without resistance on the part of the child and with or without accompanying physical abuse. Sexual abuse can range from a parent/caregiver permitting or exposing a child to sexual acts such as prostitution, to actual molestation; including exposure, fondling or masturbation and intercourse; including incest and rape. It also includes exploitation of children for pornographic purposes, including posing children for photographs which are sexual or erotic in content. Most sexual misuse of children occurs at home with persons known to the child.

<b>Physical Indicators</b>	<b>Behavioural Indicators</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> difficulty in walking or sitting</li> <li><input type="checkbox"/> torn, stained or bloody underwear</li> <li><input type="checkbox"/> pain or itching in genital area</li> <li><input type="checkbox"/> bruises or bleeding in genital, vaginal, or anal areas</li> <li><input type="checkbox"/> venereal diseases, especially in pre-teens</li> <li><input type="checkbox"/> pregnancy</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> fear of male parent/guardian; fear of all males</li> <li><input type="checkbox"/> wariness of physical contact, especially when initiated by an adult</li> <li><input type="checkbox"/> fear of the night, the dark</li> <li><input type="checkbox"/> sophisticated or bizarre sexual behaviour or knowledge</li> <li><input type="checkbox"/> seductive behaviour for approval</li> <li><input type="checkbox"/> unwillingness to change for physical education, or to participate in active sports or games</li> <li><input type="checkbox"/> reports sexual contact with parent or guardian</li> </ul>

#### EMOTIONAL ABUSE

Emotional abuse includes ignoring or passively rejecting the child, overtly “disowning” of a child, scapegoating, criticizing and often, making excessive or unreasonable demands of performance and competence for a child’s age and ability. Severe verbal abuse, threatening, constant yelling, berating and withholding of comfort from an upset or distraught child, are included in emotional maltreatment of a child. Psychological terrorism is present in some cases (for example, locking a child in a dark cellar or threat of malnutrition). When a child’s future psychological development is at risk because of a caregiver’s actions or failure to act, this is child abuse.

<b>Physical Indicators</b>	<b>Behavioural Indicators</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> bed wetting that is non-medical in origin</li> <li><input type="checkbox"/> frequent psychosomatic complaints, headaches, nausea, abdominal pains</li> <li><input type="checkbox"/> child fails to thrive</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> developmental lags: physical, mental or emotional</li> <li><input type="checkbox"/> habit disorders: sucking, biting, rocking, etc.</li> <li><input type="checkbox"/> conduct disorders: antisocial and destructive behaviour</li> <li><input type="checkbox"/> speech disorder, sleep disorders, inhibition of play</li> <li><input type="checkbox"/> extreme passivity/extreme aggressiveness</li> <li><input type="checkbox"/> extreme infantile behaviour</li> <li><input type="checkbox"/> extreme adult behaviour: appearing to “take over” and care for parents</li> <li><input type="checkbox"/> hysteria, obsession, phobias, hypochondria</li> <li><input type="checkbox"/> extreme depression, attempted suicide</li> </ul>

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#### NEGLECT

Child abuse covers acts of omission, on the part of the parent/caregiver: failure to provide for a child's basic needs and appropriate level of care with respect to food, clothing, shelter, sleep, health hygiene, safety and education. This includes the failure to provide adequate supervision, anticipatory prevention of injury and medical attention. Emotional neglect refers to the failure to provide adequate psychological nurturance necessary for a child's growth and development.

<b>Physical Indicators</b>	<b>Behavioural Indicators</b>
<ul style="list-style-type: none"> <li><input type="checkbox"/> consistent hunger, malnutrition, underweight, dehydration</li> <li><input type="checkbox"/> poor hygiene, dirtiness, lice, skin disorders associated with improper hygiene</li> <li><input type="checkbox"/> inappropriate dress, exposure symptoms, e.g. sunburn, frostbite, recurrent colds, pneumonia</li> <li><input type="checkbox"/> consistent fatigue, listlessness</li> <li><input type="checkbox"/> unattended health problems</li> <li><input type="checkbox"/> inadequate supervision, child left in the care of another child too young to protect his/her abandonment</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> begging, stealing food</li> <li><input type="checkbox"/> theft in general</li> <li><input type="checkbox"/> verbal evidence that there is no caregiver, no one at home, arriving early, staying late at school</li> <li><input type="checkbox"/> falling asleep in class</li> <li><input type="checkbox"/> delinquency, drugs, or alcohol</li> </ul>

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**APPENDIX B**

**SUGGESTIONS FOR KEEPING A DOCUMENTATION DIARY**

1. Write it down when you see it; don't rely on memory.
2. Stick to facts and first hand experiences.
3. Dates are essential. Noting the day and time reinforces your point.
4. Watch for patterns: e.g., behaviour and attendance on Mondays and Fridays.
5. State direct quotes where possible.

**SAMPLE DIARY**

<b>DATE</b>	<b>TIME</b>	<b>OBSERVATIONS</b>
Thursday, September 21, 2000	9:30 a.m.	Melissa arrived late – second time this week
Monday, September 25, 2000	9:25 a.m.	Late again, with no explanation. Could not find out reason.
Thursday, September 28, 2000	4:10 p.m.	Melissa stayed late helping me. -Said she did not need to call her mother to tell her. -Said "mom doesn't care".
Tuesday, October 3, 2000	6:15 p.m.	Returned to school early for Parent Meeting. -found Melissa in school yard. -When I asked, "Have you had dinner?" she replied "I haven't been home yet!"

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#### APPENDIX C

#### WHAT INFORMATION IS REQUIRED BY THE CAS?

All employees referring alleged cases of child abuse are required to follow up their initial oral report to the Children's Aid Society (CAS) worker with a written referral.

##### 1. Oral Report Should Include:

- Child's name, age, sex, address, and phone number.
- Family names, addresses and phone numbers
- Nature of suspected abuse with documented information you have and indicators of abuse.
- Present whereabouts of the child in question.
- Information about other children in the family, including their names, ages, and addresses.
- Your opinion as to the urgency of the situation in terms of the child's safety.
- Whether the child's parents are aware of the report.
- Your name, employment address and phone number, and your duties which led to the concern expressed.
- When and where you can be reached for further discussion if needed.
- Names, addresses, and telephone numbers of other possible witnesses of persons having relevant information such as physician, dentist, teacher, educational assistant, support staff, public health nurse, social worker, child and youth worker, police, probation officer, day care staff, clergy, chaplain, counsellor, recreation worker, neighbour, relative or family member.

##### 2. Written Referral:

See Appendix D for written report form Report of a Suspicion of a Child in Need of Protection.

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APPENDIX D

**REPORT OF A SUSPICION OF A CHILD IN NEED OF PROTECTION**

SCHOOL NAME: \_\_\_\_\_  
STUDENT'S NAME: \_\_\_\_\_ D.O.B.: \_\_\_\_\_ GRADE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_

**PARENT(S)/GUARDIAN(S):**

\_\_\_\_\_  
Mother/Father/Guardian Name Phone: Home/Work  
\_\_\_\_\_  
Mother/Father/Guardian Name Phone: Home/Work  
\_\_\_\_\_  
Emergency Contact Name Phone: Home/Work

**1. Nature of Alleged Incident**

Physical       Emotional       Sexual       Neglect

Comments: \_\_\_\_\_  
\_\_\_\_\_

**2. Alleged Incident Reported to Children's Aid Society by:**

NAME: \_\_\_\_\_ POSITION: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**3. Children's Aid Society Contact Person:**

NAME: \_\_\_\_\_ POSITION: \_\_\_\_\_  
PHONE: \_\_\_\_\_

**4. Immediate Action or Response by Children's Aid Society and/or School Officials:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. Report Completed by:**

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
PRINCIPAL: \_\_\_\_\_ DATE: \_\_\_\_\_

cc: Principal's File

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#### APPENDIX E

#### FREQUENTLY ASKED QUESTIONS

1. **How do I know what to report?**

Your responsibility is to report reasonable suspicions of child abuse, not clear-cut evidence. You will not always have this evidence, but your close contact with children will sometimes lead you to believe or to be suspicious that something is happening to the child that could be abusive.

2. **What if a superior disagrees?**

If a superior disagrees with your suspicions and decision to report, it is still your responsibility to report to CAS. The reporting protocol of the Board does not prohibit you from reporting directly. Your School Board's policy supports your responsibility to report directly to the CAS

3. **What happens if I do not report?**

If you do not report your suspicions, the child could possibly remain in an abusive situation and, if you are a professional or school official, you could be liable for a \$1,000 fine and/or one year in jail.

4. **What happens if I report a case and it turns out that it is not abuse?**

There are no consequences to legitimate reporting and you are protected in this if your suspicions are based on reasonable evidence. A CAS worker will help you with your suspicions and will not proceed with an investigation unless they feel that it is legitimate. It is not your responsibility to determine that child abuse has occurred; that is the responsibility of the police and the Children's Aid Society.

5. **Does the CAS have the right to interview a child in school without the parents' knowledge or permission?**

Absolutely, yes. It is the part of the investigative process. Interviews always begin with the victim, witnesses, and the offending adults are always interviewed last. During school hours the child is in the care of the school and is in a place of safety.

6. **What do I do if a child says, "if I tell you something, will you promise not to tell anyone else?"**

Sometimes we make deals with children that are inappropriate. All children must know that we respect their confidence, however, there are times when things must be reported. There are some deals you cannot make with children.

7. **What happens after a report is made to the Children's Aid Society?**

The Children's Aid Society will contact the referral source and attempt to clarify the information being reported. The information may be shared with the police for a joint investigation. The role of the CAS is to determine child safety while the role of the police is to investigate any criminal acts. The CAS role will be to help the family alleviate any pain or harm they are suffering and to help develop a plan to solve problems that they may be experiencing.

8. **As a teacher, what if I suspect a colleague of abuse?**

The CFSA takes precedence over other legislation including the Teaching Profession Act (TPA) and its regulations. Regulation 18(1)(b) states that teachers must furnish a member with a copy in writing of an adverse report. In all cases where teachers report their suspicions of abuse of a child by a member of the Ontario Teachers' Federation, they are advised to contact the provincial or local

# ST. CLAIR CATHOLIC DISTRICT SCHOOL BOARD

## POLICIES AND PROCEDURES

### SECTION C: STUDENTS

OECTA office for advice and direction in regard to compliance to 18(1)(b) as well as other issues. No teacher should advise his or her colleague of the report to the CAS before obtaining this advice.

#### **9. How can the school be of help to an abused child?**

This is an extremely important concept for professional educators to understand. Child abuse is a betrayal of trust. In the long run, if not detected, it is very harmful to children. It deals with distorted relationships and the real harm done to children is that they form relationships that are diminished and distrustful, often leading to dysfunctional adult lifestyles. The school's role is to:

- believe the child when he/she reports abuse;
- support the child through the process by being a friend and showing that you care;
- get them help that they need to resolve their crisis;
- stand by them during their time of crisis;
- be aware of their emotional needs at this time.



**ST. CLAIR CATHOLIC DISTRICT SCHOOL BOARD  
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APPENDIX F

**COMMUNITY RESOURCES**

<b>RESOURCE AGENCIES FOR THE PROTECTION OF CHILDREN:</b>	<b>RESOURCE AGENCIES FOR THE TREATMENT OF CHILDREN:</b>
<ul style="list-style-type: none"> <li>• Sarnia-Lambton Children’s Aid Society 161 Kendall Street Point Edward, Ontario N7V 4G6 519-336-0623</li> <li>• Chatham-Kent Children’s Services 495 Grand Avenue West, Chatham, Ontario N7M 5K3 519-352-0440      Fax: 519-352-4152</li> <li>• Sarnia Police 555 Christina Street N. Sarnia, Ontario N7T 7X6 519-344-8861</li> <li>• Ontario Provincial Police 4224 Oil Heritage Road Petrolia, Ontario N0N 1R0 519-882-1011</li> <li>• Chatham-Kent Police Service P.O. Box 366 24 Third Street Chatham, Ontario N7M 5K5 519-436-6600</li> <li>• Ontario Provincial Police 535 Park Avenue East, RR#4 Chatham Ontario N7M 5J4 519-352-1122</li> </ul>	<ul style="list-style-type: none"> <li>• Family Counselling Centre 2nd Floor, Building 1030 1086 Modeland Road Sarnia, Ontario N7S 6L2 519-336-0120</li> <li>• St. Clair Child and Youth Services 129 Kendall Street Sarnia, Ontario N7V 4G6 519-337-3701</li> <li>• Family Service Kent 50 Adelaide Street Chatham, Ontario N7M 6K7 519-354-6221      Fax: 519-354-5152</li> </ul>