

AP 3304: Child Abuse and Neglect

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

The following guidelines have been established to assist school personnel in dealing with the issue of alleged sexual abuse by a student at school. The Young Offenders Act only applies to alleged sexual offenders who are twelve (12) years of age and older. For the purpose of this document, children under the age of twelve (12) will be referred to as “students who act out sexually.” Students twelve (12) years of age and older will be referred to as “alleged sexual offenders.”

This document outlines a process for students under the age of twelve (12) and students twelve (12) years of age and older.

In most instances, the police are only involved in situations where students are twelve (12) years of age or older. However, each situation is unique and therefore it is strongly recommended that consultation with other professionals take place and that each situation be evaluated on its own merits.

Due to the sensitivity of this issue, information should only be shared with the appropriate people on a need-to-know basis.

Procedures

Alleged Sexual Abuse by a Student

1. When assessing whether or not abuse may have occurred, exercise caution. Too much probing will interfere with the social worker’s interview.
2. When there is concern by a school district employee that a student under twelve (12) years of age may be acting out sexually against another student(s), the employee must document, with date, time and frequency:
 - 2.1 any statements made by the person disclosing;
 - 2.2 any unusual behaviour(s) of the student suspected of acting out sexually;
 - 2.3 any unusual statement made by that student which indicates that they may be acting out sexually;
 - 2.4 any unusual behaviour(s) of the alleged victim(s) which may indicate that they are being sexually abused;
 - 2.5 any unusual statements made by the alleged victim(s) or any other students or adults.
3. The employee shall inform the Principal of the concerns if, after consultation, there is a reasonable cause to believe that abuse has taken place, the employee with whom the concern originated must:
 - 3.1 report the incident, without delay, to the Ministry for Children & Families; and
 - 3.2 inform the principal of the report.
4. If, after consultation, there is no reasonable cause for making a report, the student should be monitored to determine what their needs might be for support, education, and counselling.

5. When a report is made to the police and the Ministry of Children and Families, the Principal or designate shall:
 - 5.1 inform the Superintendent of the situation;
 - 5.2 Inform the parent(s)/guardian(s) of the student who allegedly acted out sexually of the incident and the investigation;
 - 5.3 In the presence of the parent(s)/guardian(s), inform the student who allegedly acted out sexually that they will be staying at home while the alleged incident is investigated, and an appropriate safety or educational plan is developed;
 - 5.4 inform the parent(s)/guardian(s) of the alleged victim(s) of the incident and the investigation; and
 - 5.5 Provide an educational program to the student during the investigation and plan development.
6. At no time should any member of the school staff reveal the name of the student who allegedly acted out sexually to the parents of the alleged victim(s) or vice versa. The sensitivity of this issue and privacy for alleged parties is an utmost priority.
7. The principal or designate, in consultation with the Superintendent or designate, the student's parent(s)/guardian(s), school-based team, educational program will develop a response plan for the student upon completion of the investigation.

Alleged Sexual Abuse When a Student is Twelve (12) Years of Age or Older

8. When assessing whether or not abuse may have occurred, exercise caution. Too much probing will interfere with the social worker's interview.
9. When there is concern by a school district employee that a student twelve (12) years of age and older may be sexually offending against another student(s), the employee must document, with date, time, and frequency:
 - 9.1 any statements made by the person disclosing;
 - 9.2 any unusual behaviour(s) of the student suspected of a sexual offence;
 - 9.3 any unusual statements made by that student which indicates he/she may be sexually offending;
 - 9.4 any unusual behaviour(s) of the alleged victim(s) which may indicate that he/she is being sexually abused;
 - 9.5 any unusual statements made by the alleged victim(s) or any other students or adults.
10. Employee shall inform the Principal of the concern.
11. If, after consultation, there is a reason to believe that abuse may have or is likely to have occurred, the employee with whom the concern originated must:
 - 11.1 inform the Ministry for Children & Families;
 - 11.2 inform the principal of the incident and the reports made to the Ministry for Children and Families;
 - 11.3 and ensure that the alleged victim student is aware of their right to make a report to the police.
12. If, after consultation, it appears there is no reasonable cause for making a report, the principal should arrange for an appropriate staff member to speak to the student(s) involved in order to keep them informed and determine what their needs might be for support and counselling. Continue to monitor the situation.

13. When a report is made to the police and the Ministry of Children and Families, the Principal shall:
 - 13.1 inform the Superintendent of the situation;
 - 13.2 inform the parent(s)/guardian(s) of the alleged victim(s) of the incident and the investigation;
 - 13.3 Inform the parent(s)/guardian(s) of the alleged offender of the incident and the investigation;
 - 13.4 In the presence of the parent(s)/guardian(s), inform the alleged offender that they will be staying at home while the alleged incident is investigated;
 - 13.5 educational program will be provided to the student during the Social Services investigation.
14. At no time should any member of the school staff reveal the name of the alleged offender to the parents of the alleged victim(s) or vice versa. Keep in mind the sensitivity of this issue, confidentiality, and the need for ongoing support to all parties affected.
15. The principal or designate, in consultation with the Superintendent or designate, the student's parent(s)/guardian(s), school-based team, MCFD and any other involved agencies, will plan the student's educational program while the investigation is underway.
16. A response plan will be prepared for the alleged offender and the alleged victim following the conclusion of the investigation.