

Students 9500	Administrative Application	
	Last Reviewed/ Approved on:	October 21, 2024
	References:	The Child and Family Services Act, 1990 Section 12(1) Child Abuse Protocol, 2023 The Emergency Protection of Victims of Child Sexual Abuse and Sexual Exploitation Act, 2002 Section 4(1) Criminal Code of Canada 1985 The Education Act, 1995 Section 3(1) The Local Authority Freedom of Information and Protection of Privacy Act Administrative Application 5400 – Freedom of Information and Protection of Privacy Policy 12 - Role of the Director
	Status:	Operational

Preamble

The mandate of all employees of the Regina Catholic School Division (RCSD) is to be vigilant in monitoring the well-being of students in the school division and to address child abuse prevention education training and awareness of staff members regarding child abuse and the duty to report. All staff members of the school division must perform their duties in compliance with *The Child and Family Service Act* and *The Education Act*. Thus, all division staff members have a duty to report suspected child abuse to the appropriate authority.

There are two parts to this administrative application: Child Abuse Prevention Education and Response and Child Abuse and Neglect Reporting. The purpose of the administrative procedure is to address child abuse prevention education, training, and awareness of employees regarding child abuse and the duty to report.

Application

All employees are aware of and have access to the following guiding documents:

- [Ministry of Education Policy Statement: Child Abuse Prevention Education and Response](#)
- [Saskatchewan Child Abuse Protocol](#)
- [Counsel for Children Guidelines for School Divisions](#)

The Education Act provides boards of education and the conseil scolaire the authority for the administration and management of schools, including the preparation of administrative procedures for schools, and states that principals support the professional development of staff and overseeing student well-being and the good order, harmony and efficiency of the school.

Boards of education are also responsible to conduct a continuing program of planning and evaluation with respect to curriculum, pedagogy and effectiveness of instructional programs, including child abuse prevention education.

All citizens have a duty to report child abuse or neglect in accordance with provincial legislation. It is important to refer to the *Saskatchewan Child Abuse Protocol* to meet these legislative requirements. All employees of the RCSD have a duty to report suspected child abuse or neglect to an appropriate authority (child protection worker, Ministry of Social Services, First Nations Child and Family Services Agency, police officer).

Administrative Procedures Pertaining to Child Abuse Prevention Education and Response

Part I: Child Abuse Prevention Education and Response

The RCSD directs that all employees engage in training and awareness of child abuse prevention through programs and resources approved by the board of education.

1. Child Abuse Prevention Education

Educators must take appropriate steps to:

- a. teach child abuse prevention education for all students in Pre-Kindergarten through Grade 12 through the required outcomes of grades 1-9 health education and extend this learning to other areas of study, where it reasonably applies.
- b. create a safe environment in order to build trust which may decrease anxiety or additional stress on students exhibiting signs of abuse.
- c. provide meaningful learning environments related to child abuse prevention education.
- d. provide communication with parents/caregivers, when appropriate, related to child abuse prevention education and how it will be introduced in the classroom.
- e. provides age-appropriate educational experiences and learning resources.

2. Professional Development and Supports

School division personnel/school administrators must take appropriate steps to:

- a. engage all staff in professional development opportunities provided by qualified professionals to identify the signs of child abuse.
- b. develop relationships with qualified human services agencies to develop and maintain community contacts (e.g., healing resources, traumatic stress counsellors).

- c. provide training and awareness to assist staff in understanding their legal duty to report child abuse.

Educators are encouraged to practice self-care by seeking professional help when needed.

Note:

- a. Professional development may include discussions at team meetings, presentations to employees, distribution of government pamphlets and publications, and more.
- b. Disclosure of abuse may arise when child abuse is the topic within the classroom. See the *Saskatchewan Child Abuse Protocol* and *Duty to Report*.

Part II: Child Abuse and Neglect Reporting

The *Saskatchewan Child Abuse Protocol* describes what constitutes child abuse or neglect as defined in section 11 of *The Child and Family Services Act*. The Protocol also describes the roles and responsibilities of service providers and the process by which they should respond. Employees are encouraged to work with a focus on the child's best interest with child protection agencies, police, and any other service providers with authorized involvement.

1. Duty to Report Abuse or Neglect by a Parent/Caregiver

- a. Any employee of the school division who has reasonable grounds to believe that a student under the age of 16, is in need of protection shall immediately report this information to a child protection worker, Ministry of Social Services, First Nations Child and Family Services Agency and/or a police officer. See section 12 of *The Child and Family Services Act*.
- b. The circumstances in which a student may be in need of protection include but are not limited to the following examples of abuse or neglect by a parent/caregiver:
 - i. Physical abuse;
 - ii. Sexual abuse and exploitation;
 - iii. Physical neglect;
 - iv. Emotional maltreatment;
 - v. Exposure to domestic violence or severe domestic disharmony; or,
 - vi. The student has committed an act that if the child were 12 years of age or older would constitute a criminal offence and family services are necessary to prevent a recurrence.

c. Youth Aged 16 and 17 or vulnerable students over 18:

- i. While it is not legally required, abuse or neglect by a parent/caregiver of a young person aged 16 or 17 or vulnerable students over 18 may be reported to child protection services and/or police in order to obtain assistance for the young person under the Child & Family Service Act.

2. Duty to Report Sexual Exploitation under the Emergency Protection

- a. Any employee of the school division who has reasonable grounds to believe that a student under the age of 18 has been or is likely to be subjected to sexual abuse shall immediately report this information to a child protection worker and/or police officer.
- b. Child sexual abuse occurs when a child under the age of 18 has been, or is likely to be, exposed to harmful interaction for a sexual purpose, including involvement in prostitution and/or Criminal Code offenses. See section 4 of *The Emergency Protection for Victims of Child Sexual Abuse and Exploitation Act*.

3. Duty to Report Child at Risk Due to Other Practices Prohibited Under Canadian Law

The Criminal Code of Canada prohibits the marriage of children under 16 (section 293.2). The Criminal Code also treats female genital mutilation of children under 18 as an aggravated assault (section 268.3) unless it is performed by a medical practitioner for medical purposes. A child subject to these practices is at risk of physical and/or sexual and emotional abuse and these situations should be reported.

4. Reporting

- a. Reasonable grounds to believe:
 - i. is subjective;
 - ii. can be based on personal observation or discussion;
 - iii. does not require proof;
 - iv. can be based on assumptions or credible second-hand information;
 - v. can take into account the training and experience of the person reporting; and
 - vi. can still be reasonable even if it turns out eventually to be untrue.
- b. The staff member making the report shall take the following steps:
 - i. The staff member cannot delegate the duty to report to another individual. The employee must make the report and be supported by others.

- ii. The staff member shall make the report by telephone or in-person to a child protection worker, Ministry of Social Services, First Nations Child and Family Services Agency, and/or a police officer.
 - iii. The staff member may enlist the support of the principal or school counsellor in making the report.
 - iv. The staff member must inform the principal that a report has been made unless the principal is the subject of the report. In such case, the notification that a report has been made shall be provided to the superintendent.
 - v. The staff member shall also create a written report of the information received and steps taken.
 - vi. A record of the objective information received and reported must be recorded by the principal in the secure school Student Information System (SIS) or by the superintendent, as the case may be.
- c. Once the principal or superintendent is informed, the principal or superintendent must support the staff member in reporting. This can include allowing for a peer support or the school counsellor to accompany the employee in reporting.
 - d. The staff member shall **not** contact the parents/caregivers in situations where the parent/caregiver or the partner of the parent/caregiver is the subject of the report. Doing so in these situations may compromise the investigation. Decisions regarding contact with parents/caregivers shall be made in consultation with Social Services and/or police officers.
 - e. Any communication or contact with parents or guardians in regard to such alleged abuse and/or neglect is the responsibility of the investigating agency.

5. Support to the Child

The staff member shall provide support to the student, particularly in a situation of disclosure.

- a. **DO** the following:
 - i. Validate the child's right to seek help.
 - ii. State the right to safety.
 - iii. Provide for physical comforts
- b. **DO NOT** do the following:
 - i. Investigate for proof
 - ii. Question for details

- iii. Offer judgments
- iv. Tell the child "what will happen"
- v. Remove, alter, or contaminate physical evidence

6. Interviews Conducted by Police/Child Protection Services at School

- a. Any request from the police/Child Protection Services to interview a child shall be referred to the principal (or designate).
- b. The principal (or designate) will work with the child protection worker and/or police to facilitate arrangements for a confidential interview to occur. If the child protection worker or police request that the interview of the child occur on the school premises, the principal or designate should consider the request including considering the students best interest, whether there is appropriate and confidential space available in the school for interview purposes. In circumstances where the allegations involve parents/guardians and where having the interview at the school is in the best interest of the student.
- c. The child protection worker and police are responsible for determining who will be at the interview and for considering the student's support needs and comfort level.

7. Confidentiality

- a. Pursuant to The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP) and Administrative Application 5400 Freedom of Information and Protection of Privacy, employees shall maintain confidentiality of all information including reports and discussions. The fact that there is an investigation in progress is in itself confidential.
- b. All information, reports, and discussions relative to the child abuse or neglect will be treated as confidential by every person employed by the Division.
- c. Records are to be stored, accessed, and disposed in accordance with board policy.

8. Awareness and Supporting Documents

Every principal shall ensure that all staff are aware of and have access to the following supporting resources:

- Saskatchewan Child Abuse Protocol, 2023
- Counsel for Children Guidelines for School Divisions
- Online Training Module: [Saskatchewan Duty to Report](#).
- <https://sk.211.ca/agencies/saskatchewan-advocate-for-children-and-youth/>.