

CHILD ABUSE

Background

Children have a right to be safe and adequately cared for at home, at school and in the community. School staff have a responsibility to safeguard children from abuse and neglect and will seek to work in cooperation with Alberta Children's Services (ACS), the police and/or medical services in order to fulfill that responsibility.

Definitions

Child in need of intervention services is a term found in the Child, Youth and Family Enhancement Act. A child is in need of intervention services if there are reasonable and probable grounds to believe that the survival, security or development of the child is endangered because of any of the following:

- the child has been abandoned or lost;
- the guardian of the child is dead and the child has no other guardian;
- the child is neglected by the guardian;
- the child has been or there is substantial risk that the child will be physically injured or sexually abused by the guardian of the child;
- the guardian of the child is unable or unwilling to protect the child from physical injury or sexual abuse;
- the child has been emotionally injured by the guardian;
- the guardian of the child is unable or unwilling to protect the child from emotional injury;
- the guardian of the child has subjected the child to or is unable or unwilling to protect the child from cruel and unusual treatment or punishment.

Neglect is any lack of care that causes serious harm to a child's development or endangers the child in any way. A child is neglected if the guardian:

- is unable or unwilling to provide the child with the necessities of life,
- is unable or unwilling to obtain for the child, or to permit the child to receive, essential medical, surgical or other remedial treatment that is necessary for the health or well-being of the child, or
- is unable or unwilling to provide the child with adequate care or supervision.

Emotional abuse is verbal attacks on a child. A child is emotionally abused if there is the impairment of a child's mental or emotional functioning or development and if there are reasonable and probable grounds to believe that the emotional injury is the result of:

- rejection,
- emotional, social, cognitive, or physiological neglect,
- deprivation of affection and/or cognitive stimulation,
- exposure to family violence or severe domestic disharmony,
- inappropriate criticism, threats, humiliation, accusations or expectations of or toward the child,
- the mental or emotional condition of the guardian of the child or of anyone living in the same residence as the child;
- chronic alcohol or drug abuse by the guardian or by anyone living in the same residence as the child.

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. It can be perpetrated by anyone, including a parent or guardian, caregiver, extended family, friend, neighbour or stranger. Exposing children to child pornography or luring children through the Internet are forms of sexual abuse.

Guiding Principles

The Child and Youth Enhancement Act states the Act must be interpreted and administered in accordance with the following principles:

- the best interests, safety and well-being of children are paramount;
- the well-being of families and communities is crucial to the well-being of children;
- children benefit from:
 - lasting relationships with people with whom they have connections, including family, friends, caregivers and other significant individuals,
 - connections with their culture and cultural communities and opportunities to form those connections, and
 - permanent, formalized ties with people who care about them;

- Indigenous people should be involved with respect to the planning and provision of services to and decisions respecting Indigenous families and their children.

Procedures

1. The Superintendent or designate has the responsibility to ensure that all staff are aware of the obligations to report under the Child, Youth and Family Enhancement Act.
2. Division employees are required to report suspected cases of abuse and neglect to the appropriate authorities in accordance with the Child, Youth and Family Enhancement Act. A person who has reasonable and probable grounds to believe that a child is in need of protective services shall report as follows:
 - 2.1. For new reports, call the Children's Services Crisis Unit at 1-800-638-0715 or the Child Abuse Hotline directly at 1-800-387-5437 (KIDS).
 - 2.2. For follow-up on a student or family that has an open file with Children's Services, you may contact the local Children's Services office:
 - Sherwood Park (Strathcona County): 780-467-5195
 - Fort Saskatchewan: 780-992-6700
 - Vegreville: 780-603-2500
 - Camrose: 780-608-1800
 - 2.3. Call 911 if you or the person you are reporting is in immediate danger.
3. When making a report of suspected child abuse, a report should include:
 - your name, telephone number and relationship to the child (all of this information remains confidential);
 - any immediate concerns about the child's safety;
 - the location of the child;
 - the child's name;
 - the child's age;
 - information on the situation;
 - any other relevant information concerning the child and/or family.
 - A more extensive list of information that you may be asked to provide can be found in the document "[Responding to Child Abuse](#)".
4. If a child makes statements that indicate possible abuse or harm, the person to whom the information is disclosed must phone to report the abuse.

5. Any incident of suspected child abuse must be reported even if it is known that a child intervention agency is already involved.
6. It is not up to the staff member to determine whether his/her observations or student statements are sufficient evidence for an investigation or assessment. If in doubt, the staff member shall call to ask for advice from the intake worker at their local Children's Services office or the Provincial Crisis Unit (numbers listed above).
7. Any statements made by a child to a staff member indicating the risk of abuse must be recorded by that staff member, preferably in the student's own words, as soon as possible after the disclosure.
8. The school Principal must be made aware of any disclosure of abuse and reports made to Children's Services. The Principal should keep a record of all reports made to Children's Services for any student in the school. Documentation of reports made to Children's Services should be a hard copy (not electronic), and filed according to each school year. These documents are to be stored confidentially and securely at the school. They are not to be included in the student's record.
9. The safety, welfare and dignity of the child are of paramount concern in addressing cases of suspected child abuse. Reports of suspected abuse shall remain confidential on the basis of those who need to know in order to protect the safety and welfare of the child, with the best interests of the child always in mind.
10. The Child, Youth and Family Enhancement Act prescribes penalties for those who fail to report such situations, and provides protection against a person making a report unless the reporting "is done maliciously or without reasonable and probable grounds for the belief".

Investigations at School

11. Children's Services caseworkers appointed under the *Child, Youth and Family Enhancement Act* are empowered to enter schools, obtain information about students and apprehend students. Knowing their responsibility for the well-being and care of students in a school, staff should facilitate Children's Services caseworkers' and/or police officers' access to students for the purposes of determining if a child is in need of intervention.
12. All inquiries by Children's Services caseworkers are to be referred to the Principal or designate.
13. The Principal shall ask the Children's Services caseworker or police officer to show an identification card, to define the nature of the investigation being conducted, and to state the reasons for conducting the interview at school.

14. The Principal shall cooperate with the investigator (caseworker or police officer) regarding the time and location of interviews to be conducted in the school, unless there are compelling reasons to the contrary.
15. Principals shall keep a record of all investigative interviews conducted at the school to determine if a child is in need of intervention, noting contact information for the investigator and in each case whether it was completed by:
 - a. A police officer and/or
 - b. Children's Services caseworker.
16. When an interview takes place in the school for the purposes of determining if a child is in need of intervention, the investigator will advise whether or not the interview will take place with the student alone or whether or not the Principal shall also sit in. If a student requests that a staff member be present, the Principal shall comply with the request.
17. School staff interviewed by the investigator should summarize in writing any information provided to the investigator immediately after the interview and give to the Principal to be stored securely, as mentioned in point 8 above.
18. If the investigator finds conditions established for a school interview unacceptable, the investigator has the authority to apprehend the child and conduct the interview at some other location.
19. Responsibility for notifying parents about an investigation shall be the responsibility of the investigator. The Principal shall:
 - 19.1. Clarify with the investigator when contact will be made with the parent.
 - 19.2. Provide a contact name and phone number of the investigator to the parent in those cases where students are in the care of the investigator.
20. Access of a Children's Services caseworker to a student on an ongoing basis during school hours is acceptable if arrangements as to time and place are mutually agreed upon. If it is agreed that interviews by the Children's Services caseworker will take place at school, school staff shall arrange for the caseworker to interview the student at an appropriate time and place in the school.
21. The best interests of the child must always be kept in mind when deciding whether or not information about a possible or pending investigation should be shared, and thoughtful discretion must be used.
22. At the end of the investigation, the Principal and/or other staff member(s) may request to meet with the investigator or assigned caseworker to discuss what steps may be taken to support the student and, if necessary, the family.

Threats

If threats are made against school personnel or the student, the Principal shall contact the police.

Suspected Abuse Involving School Staff

If a staff member or volunteer is suspected of abusing a student in the Division, the Division must take immediate action consistent with the nature of the allegation, facts, and circumstances. All cases must be reported to the police and the Superintendent.

Delivery of Programs

The delivery of child personal safety programs is approved and supported in Division schools. Staff are to ensure that parents are aware of the programs and their contents.

Reference: *Education Act*, SA 2012, c E-0.3, ss.11, 33, 52, 53, 56, 196, 197, 222
Child, Youth and Family Enhancement Act, RSA 2000, c C-12
Freedom of Information and Protection of Privacy Act, RSA 200, c F-25
Practice Review of Teachers Regulation 4/99
Student Record Regulation AR 97/2019
Responding to Child Abuse – A Handbook (October 2005)
Edmonton Public School Board Administrative Regulation HHEB.AR