

# Pacific Montessori Society

## CHILD PROTECTION POLICY

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**Effective Date: April 20, 2009**

### **POLICY STATEMENT**

The Pacific Montessori Society expects all students, staff and other members of the Pacific Montessori Society to be treated with respect and courtesy, in accordance with the *Code of Conduct*.

The Pacific Montessori Society is committed to protection of students (children) from physical, emotional and verbal neglect and/or abuse, and sexual abuse. It is equally committed to protection of staff from victimization through false and/or unsubstantiated allegations or charges of child abuse.

### **POLICY RATIONALE**

Under the *Child, Family and Community Service Act*, principals and teachers have a legal responsibility to report all suspected cases of abuse and/or neglect to a child protection social worker in the Ministry of Children and Family Development. This policy provides relevant procedures to follow.

The *Criminal Records Review Act* requires authorities covered by the *Independent School Act* to obtain criminal records check authorizations from non-teaching staff who work with children; teaching staff certified by the Inspector of Independent Schools; and those teachers who, although certified by the College of Teachers, are not currently members of the College.

At Selkirk Montessori School we value respect for each other. This allows students, staff and society members to feel safe, to develop a sense of belonging, to forge friendships with peers and maintain respectful relationships. With this sense of community, teaching and learning thrive.

### **SCOPE**

The school is responsible for developing policy, procedures and programs that address all forms of harassment, bullying, discrimination, isolation and abuse.

This policy addresses abuse of one or more students by an adult, including staff or members of the Society. Sexual abuse of a student by another student is also covered.

For policy regarding harassment and bullying by students, staff and members of the Society see the *Harassment and Bullying Prevention and Management Policy*.

## **POLICY AND PROCEDURES**

### ***I. Purpose***

Our policy models a respectful environment that prevents child abuse from occurring and, in the event that it occurs, promotes healing and justice for the victim, and healing and accountability for the abuser.

### ***II. Awareness***

Through programs, staff shall help raise awareness of the *Code of Conduct* and how students can incorporate it in their daily behaviours.

There are many underlying causes of child abuse.

Child abuse can be blunt or subtle, and may continue undetected by anyone other than the victim.

Through programs, staff shall help raise awareness of what child abuse is and what can be done to prevent it.

### ***III. Prevention***

Our staff are leaders who nurture and model a school climate that fosters community, prevents child abuse, and works for forgiveness, healing and reconciliation when it occurs.

Staff shall make students aware that they can safely (and confidentially) communicate complaints about child abuse (and any other matter) to staff.

All staff must undergo a criminal record check as a condition of employment.

Upon request from the Inspector of Independent Schools, the Society must make available to the Inspector, or the Inspector's designate, any information or records pertaining to an individual under review that is necessary for conducting a criminal records review.

### ***IV. Intervention***

#### ***Reporting***

Staff must report any evidence of child abuse that comes to their attention to the Academic Head and to a child protection social worker in the Ministry of Children and Family Development. If the Academic Head is the subject of the alleged child abuse, staff must advise the Board of Directors of the Pacific Montessori Society.

In addition to making a verbal report, staff must document the allegation in a written report to ensure complete and accurate information is shared with child abuse investigators.

The written report shall be submitted to the Board.

The Academic Head shall advise the Inspector of Independent Schools when an employee of an independent school is reported for alleged child abuse. If the Academic Head is the subject of the alleged child abuse, the Board shall advise the Inspector.

If a decision made by the Society as a result of a child abuse allegation involves any disciplinary measures against a teacher, those disciplinary measures shall be reported to the College of Teachers and/or the Federation of Independent Schools Association.

All actions taken shall be documented, including names, times and methods of communication, and a copy retained in the administrative files.

### ***Confidentiality***

The records of all informal and written complaints, and all information and documentation gathered or produced during, or as a result of, complaints shall be considered confidential by the parties and the Society, except as required by law. The Society may use such information and documentation as required to protect the interests of the general school community with respect to both the subject complaint and in future matters.

The identity of a staff who has reported suspected child abuse shall not be revealed, except as required by law.

Should the identity of a staff who has reported suspected child abuse become known to the alleged abuser, the Board shall support the reporting staff by:

- a) Notifying police and Ministry for Children and Family Development, if the alleged abuser harasses or threatens the reporting staff.
- b) Notifying the abuser that the Board considers the reporting staff to have acted according to her/his legal responsibility and that the Board supports the actions of the staff.

### ***Involvement of Other Agencies***

The Society shall cooperate with the Ministry of Children and Family Development, the RCMP, and local police in investigating charges of child abuse.

### ***Dismissal of Staff***

If it is demonstrated to the satisfaction of the Board that a staff has been abusive and/or inappropriately involved including, but not specifically restricted to, sexual involvement with a child or children of school age, the Board will consider such conduct a fundamental breach of the staff's duties and obligations and may dismiss the staff.

### ***Discipline of Students***

If a student is found to have sexually abused another student, the Academic Head shall take the following action:

1. Notify the students and their parents/caregivers, and the Board that action will be taken.
2. Notify the appropriate authorities.
3. Ensure that a formal plan is prepared to address healing for the victim and accountability for the abuser. The plan shall include specific accountabilities for monitoring and follow-up, and may include serious disciplinary action. See *Discipline Policy*. For purposes of

the *Discipline Policy*, interventions under the *Child Protection Policy* are considered to be a Stage 3 intervention.

4. Ensure that all steps in the plan are implemented in a timely manner.
5. Document a summary of these events, including names, times and methods of communication, and retain a copy in the administrative files.

#### ***V. Process and Timelines***

To enable timely responses to issues as they arise, the Academic Head may delegate his/her authority under this policy to the Administrative Head or another teacher for periods when the Academic Head is unavailable.

Time is of the essence in dealing with child abuse, since the victim may continue to be subject to abuse while the interventions and planning are under way.

All initial responses shall be undertaken without delay, and where required, a plan shall be completed in 5-10 working days.

#### ***VI. Appeals***

Parties involved may consult the *Complaints and Appeals Policy*.

### **DEFINITIONS**

The following definitions are intended to enhance understanding of this policy. They are descriptive only and not intended to be used for any legal actions.

#### ***Child***

Any person under 19 years of age.

#### ***Child abuse***

As defined in the *Inter-Ministry Child Abuse Handbook*, child abuse includes physical, emotional and verbal neglect and/or abuse and sexual abuse.

#### ***Criminal records check***

A check covered by the *Criminal Records Review Act* (CRRA) and conducted by the CRRA office. Individuals working with children must have had a CRRA check unless exempted under s.3 of the CRRA.

#### ***Emotional and verbal abuse***

A pattern of destructive behaviours or verbal attacks by an adult on a child. Typical behaviours may include rejecting, terrorizing, ignoring, isolating, humiliating, insulting, scapegoating, exploiting or corrupting a child.

***Neglect***

The failure of those responsible for the care of the child to meet the physical, emotional or medical needs of a child to an extent that the child's health, development or safety is endangered.

***Physical abuse***

Any deliberate physical assault or action which results in, or may result in, a non-accidental injury to a child, and which exceeds that which could be considered reasonable discipline.

***Relevant criminal offence***

The *Criminal Records Review Act* designates which offences are relevant to the protection of children. Only offences associated with physical or sexual abuse, as listed in the *Act*, Schedule 1, are considered. This includes indecent acts and violence. It does not include offences that are not relevant to the protection of children.

***Sexual abuse***

Any sexual exploitation of a child whether consensual or not. It includes touching of a sexual nature and sexual intercourse, and may include any behaviour of a sexual nature toward a child, such as, menacing or threatening sexual acts; deliberate exposure of a child to sexual activity or material; and permitting, encouraging or requiring a child to engage in conduct of a sexual nature for stimulation, gratification, or self-interest of another person.

In determining whether behaviour is of a sexual nature, one should ask whether a reasonable observer, looking at the behaviour in its context, would conclude that it is. This would exclude normal affectionate behaviour towards children and normal health or hygiene care.

Sexual activity between children may constitute sexual abuse if the difference in age or power between the children is so significant that the other or more powerful child is clearly taking sexual advantage of the younger or less powerful child. This would exclude consensual, developmentally appropriate sexual activity between children where there is not significant difference in age or power between the children.

***Staff***

Any individual who is employed by the Pacific Montessori Society, including an independent contractor who has entered into an agreement with the Society.

***Work with children***

Working with children directly, or having, or potentially having unsupervised access to children in the ordinary course of employment or in the practice of an occupation.

**REFERENCES**

*Child, Family and Community Service Act*

*Criminal Records Review Act*

*Independent School Act*

*Independent School Regulation*

*Society Act*

*British Columbia Handbook for Action on Child Abuse and Neglect (1998)*

*Inter-Ministry Child Abuse Handbook (revised 1988) (Crown Publications, Victoria, BC)*

*Supporting Our Students: A Guide for Independent School Personnel Responding to Child Abuse*

*Harassment and Bullying Prevention and Management Policy*

*Code of Conduct*

*Complaints and Appeals Policy*

*Discipline Policy*