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## ADMINISTRATIVE PROCEDURE 420 REPORTING SUSPECTED CASES OF CHILD ABUSE AND NEGLECT

School District employees have a duty to ensure that reasonable care is exercised, and appropriate action taken, to protect students from harm or risk of harm. Accordingly, employees who have reason to believe that a child has been, or is likely to be, physically or emotionally harmed, or sexually abused or exploited are legally required to report the child protection concern immediately upon discovery. It is an offence not to report a child protection concern.

### Definitions

The following definitions, which are based on definitions contained in the Child, Family and Community Services Act, 2002 (the "CFCS Act), and the B.C. Handbook for Action on Child Abuse and Neglect, apply to this Administrative Procedure.

- **Abuse** – includes sexual abuse, sexual exploitation, physical abuse, emotional abuse, and neglect. For more detailed explanations, refer to the B.C. Handbook, pg. 7-13.
- **Child** – any individual under the age of 19.
- **Duty to Report** – the legal obligation of individuals to report child protection concerns to a Child Protection Social Worker immediately upon discovery of the information.
- **Reason to believe** means that, based on observation or information received, the person believes that the child has been or is likely to be at risk. You do not need to be certain.
- **Neglect** – the failure on the part of those responsible for the care of the child to provide for the physical, emotional or medical needs of a child to an extent that the child's health, development or safety is endangered.
- **Parent** – the mother or father of a child, a person to whom custody of a child has been granted by a court of competent jurisdiction, or a person with whom a child resides and who stands in the place of the child's parent.
- **Physical Abuse** – any physical force or action that results in, or is likely to result in, a non-accidental injury to a child and exceeds that which could be considered reasonable discipline.
- **Sexual Abuse and Exploitation** – any sexual exploitation of a child. It may also include any behaviour of a sexual nature towards a child. A child is not considered legally able to consent to sexual touching or activity with an adult.

### Duty To Report

1. The legal duty to report is the responsibility of each individual.

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2. Any person with **reason to believe** that a child needs protection, or is likely to need protection, has a duty to report directly to a Child Protection Social Worker at the Ministry of Children and Family Development.

*If you have any doubts about whether a report should be made, contact the Child Protection Social Worker and seek advice.*

*Keep in mind that:*

- *You do not need proof – it is the Child Protection Social Worker’s job to determine whether abuse or neglect has taken place. Your role is to report your concerns, including disclosures and/or indicators that you have witnessed.*
  - *It does not matter if you think someone else is reporting the situation – you still must make a report.*
  - *It does not matter if a Social Worker is already involved with the child – you still must make a report.*
3. Document the information on the confidential Child Abuse Report Form and follow the protocol as outline in the Reporting Suspected Cases of Child Abuse and Neglect Protocol.
  4. Inform the school administrator after the Child Protection Social Worker has been called.
  5. Informing another person (e.g. counsellor, colleague, principal) does not discharge your legal duty to report directly to a Child Protection Social Worker.
  6. If a child is in imminent danger, police should be called first. Call 911.

## **Confidentiality**

1. All information regarding a report of child abuse made by an employee to the district or to the Ministry of Children and Family Development is confidential and such information is only to be provided to persons authorized to receive such information, as set out in this Administrative Procedure.
2. Completed Child Abuse Report forms are stored securely at the School District Office. Permissions to view these forms are held only by the individual completing the report, the Superintendent, the Assistant Superintendent for Student Services, and the District Principal for Student Services. Copies of the form or notes related to the report must not be placed in the child’s regular or cumulative school record, pursuant to the CFCS Act and this Administrative Procedure.
3. All information related to reporting must be retained in a manner that ensures confidentiality and security of such information.
4. Teachers who report other teachers suspected of child abuse do not contravene the BCTF Code of Ethics in making a report of suspected child abuse.

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Related Legislation: Ministry of Education’s Notification to Protect Children from Abuse Policy; [Child, Family and Community Services Act, 2002 \(the “CFCS Act”\)](#); [B.C. Handbook for Action on Child Abuse and Neglect](#)

Related Contract Article: Nil

Adopted: March 6, 1990

Amended: January 25, 2000; October 11, 2011; June 28, 2023

**Procedures:**

**Reporting Suspected Cases of Child Abuse or Neglect by a Person Who Is Not an Employee of the District**

1. Document the information on the Confidential Report of Suspected Child Abuse & Neglect form.
2. Immediately report the concern to a Child Protection Social Worker at the Ministry of Children and Family Development.
3. Inform the School Principal of your report.
4. Do not inform parent(s), suspected abuser or any other parties.

**Reporting Suspected Cases of Child Abuse or Neglect by a Chilliwack School District Employee, Volunteer, or Contracted Service Provider**

1. School officials have the primary responsibility for dealing with these allegations; reports to MCFD are not usually required unless there is reason to believe that children may require protection outside of the school setting or the parents are unable or unwilling to take any action required to protect the child.
2. Document the information on the Confidential Report of Suspected Child Abuse & Neglect form.
3. Immediately report the concern to the school principal, who will report to the Superintendent.
4. If the suspected abuser is a school administrator, immediately report to the Superintendent or one of the Assistant Directors of Human Resources.
5. The Superintendent, in consultation with Human Resources, will begin the investigation process.

**5.1. School District Employees** – Where there are allegations of child abuse by a school district employee, the Superintendent is responsible to investigate the allegations and/or report the matter to the police in accordance with the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*. The Board and Superintendent have the authority under the *School Act* (s.15) to suspend an employee whose presence threatens the welfare of students. The Board also has the authority under the *School Act* to suspend an employee who is charged with a criminal offence.

**5.2. Volunteers** – Where there are allegations of child abuse by a volunteer, school officials have the authority to prohibit the volunteer's attendance at school in accordance with *AP416 – Volunteers*, the *School Act* (s. 177.2) if applicable, and the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*.

**5.3. Contracted Service Providers** – Where there are allegations of child abuse by contracted service providers, school officials have the authority to prohibit the service

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providers' attendance at school, in accordance with the School District's contractual rights, property rights, and its authority under the *School Act*.

**5.4. Other Persons** – Where there are allegations of child abuse by other persons, school officials have the authority under the *School Act* (s. 177) to prohibit the person's attendance on school premises and to seek assistance of the police, in accordance with the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*.

6. Parents of children alleged to have been abused in the school setting must be informed by school district official of the allegation and the outcome of the school district investigations, unless there are special circumstances, e.g. relating to a child protection or police investigation, or endangerment of the child.
7. If a parent is reporting, they must inform the Chilliwack RCMP.
8. Do not inform parent(s), suspected abuser or any other parties.

## **Reporting Suspected Cases of Child Abuse or Neglect by Another School Aged Child**

1. School officials have the responsibility and authority under the *School Act* to investigate allegations that a student has abused another student within the school environment, in accordance with Board Policy.
2. School employees and officials must take appropriate action to safeguard a student who is a victim of abusive conduct by other students at school and to notify the parents of the students involved.
3. School officials may notify and/or consult the police or MCFD where appropriate, in accordance with the *Interagency Child Abuse/Neglect Reporting and Investigation Protocol*.
4. A report to a Child Protection Social Worker is required when there is reason to believe that the child's parent is unable or unwilling to take action required to protect the child or where there is reason to believe that other abuse (including abuse of the alleged abuser) has taken place outside the scope of the school district investigation and the parent is unwilling or unable to protect the child (or the parent is implicated in the abuse).

## **Suggestions for Supporting the Child During a Disclosure**

1. Remain calm and proceed slowly. Set aside the time needed to listen carefully and be supportive. Thank them for trusting you.
2. Document only the facts as the child has told them to you.
3. Questions should be framed in an open-ended, non-leading manner. Leave more detailed questioning to MCFD and/or police.
4. Reassure the child that they have done nothing wrong and that sharing this information will lead to accessing help.

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5. Be honest and upfront about that fact that you will need to share this information with people who are specialized in helping children and their families. **You cannot keep this to yourself, no matter what the child requests.**
  6. Ensure that supports are in place for the child.

**Forms and Related Documents**

[Reporting Suspected Cases of Child Abuse and Neglect Protocol](#)  
[Confidential Report of Suspected Child Abuse & Neglect](#)

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