



KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

ADMINISTRATIVE REGULATION

Regulation Name: Child in Need of Protection
Section: Educational Services

Regulation Code: ES-1.1.4
Policy Code Reference: ES-1.1

Established: June 3, 2002

Revised or

Reviewed: January 31, 2008; June 21, 2018; September 19, 2022; June 20, 2023

1. OBJECTIVE

This administrative regulation is written in accordance with the guiding principles in Board Policy ES-1.1, Safe and Caring Schools.

The Board recognizes that every person who has reasonable grounds to suspect that a child 16 years of age or younger is in need of protection has a duty to report to the appropriate Children's Aid Society (CAS). The Ontario Association of Children's Aid Societies indicates that reasonable grounds are necessary to decide when to report. There is a low threshold for reporting. Reasonable grounds for reporting include, but are not limited to, neglect, exposure to domestic violence, physical, emotional, and/or sexual abuse.

The duty to report is outlined in Section 72 of the Child and Family Services Act, R.S.O. 1990, c.11.

2. DEFINITIONS

Administrative Regulation

A document issued through the Director of Education, governing the implementation of a Board policy, or required to coordinate and control certain aspects of system operations.

Board

The corporate Board which maintains the daily operation of the system; Kawartha Pine Ridge District School Board; a reference specifically pertaining to Kawartha Pine Ridge District School Board as a legal entity; also referred to as KPR or KPRDSB.

CAS

Children's Aid Society

An agency whose responsibility is to protect and care for vulnerable children and youth through the provision of resources, programs, and services that support youth and their families.

PPM

Policy and Program Memorandum

Reasonable Grounds

Reasonable grounds refers to the information that somebody using honest judgment would need to decide to report. The person making the report does not determine if there is sufficient evidence to warrant an investigation; this determination remains with the Children's Aid Society.

3. APPLICATION

This administrative regulation applies to all Board employees, students, parents/guardians, visitors and volunteers, with regard to students 16 years of age and younger.

4. RESPONSIBILITY

Responsibility for this administrative regulation is as outlined in the Board Policy ES-1.1, Safe and Caring Schools.

5. PROCEDURE

5.1 Child in Need of Protection – Duty to Report

A person who performs professional or official duties with respect to children who has reasonable grounds to suspect that a child is or may be in need of protection shall report the suspicion, and the information on which it is based, immediately to an appropriate Children's Aid Society (CAS). The grounds for reporting include:

- 5.1.1 The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's:
 - 5.1.1.1 failure to adequately care for, provide for, supervise or protect the child; or
 - 5.1.1.2 pattern of neglect in caring for, providing for, supervising or protecting the child.
- 5.1.2 There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's:
 - 5.1.2.1 failure to adequately care for, provide for, supervise or protect the child; or
 - 5.1.2.2 pattern of neglect in caring for, providing for, supervising or protecting the child.

- 5.1.3 The child has been sexually molested or sexually exploited by the person having charge of the child, or by another person, where the person having charge of the child knows, or should know, of the possibility of sexual molestation or sexual exploitation and fails to protect the child.
- 5.1.4 There is a risk that the child is likely to be sexually molested or sexually exploited as described in section 5.1.3.
- 5.1.5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
- 5.1.6 The child has suffered emotional harm, demonstrated by serious:
 - 5.1.6.1 anxiety,
 - 5.1.6.2 depression,
 - 5.1.6.3 withdrawal,
 - 5.1.6.4 self-destructive or aggressive behaviour, or
 - 5.1.6.5 delayed development,and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the person having charge of the child.
- 5.1.7 The child has suffered emotional harm of the kind described in section 5.1.6 and the person having charge of the child does not provide or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.
- 5.1.8 There is a risk that the child is likely to suffer emotional harm of the kind described in section 5.1.6 resulting from the actions, failure to act or pattern of neglect on the part of the person having charge of the child.
- 5.1.9 There is a risk that the child is likely to suffer emotional harm of the kind described in section 5.1.6 and that the person having charge of the child does not provide or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.
- 5.1.10 The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the person having charge of the child does not provide, or refuses or is

unavailable or unable to consent to, treatment to remedy or alleviate the condition.

- 5.1.11 The child has been abandoned, the child's parent(s)/guardian(s) has/have died or is/are unavailable to exercise their custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent(s)/guardian(s) refuses or is unable or unwilling to resume the child's care and custody.
- 5.1.12 The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment.
- 5.1.13 The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

5.2 Ongoing Duty to Report Child in Need of Protection

It is the responsibility of any person who has made a previous referral to the CAS to make a further report if there are additional, reasonable grounds to support one of the grounds above, even if a report with respect to the same child is already made.

5.3 Reporting Procedures Child in Need of Protection

- 5.3.1 The staff member, service provider, or volunteer, who suspects a child is in need of protection, is responsible for initiating and reporting immediately the suspicion directly to the appropriate CAS.

Children's Aid Societies	KPR Region	Contact Number
Dnaagdawenmag Binnoojiiyag Child & Family Services	All – Students who self-identify as Indigenous	1-844-523-2237
Durham Children's Aid Society	Clarington	905-433-1551
Highland Shores Children's Aid	Northumberland	905-372-1821
Kawartha-Haliburton Children's Aid Society	Peterborough	705-743-9751

- 5.3.2 When a service provider or school volunteer suspects that a child is in need of protection, the volunteer will also report the concern to the principal. The principal shall also contact the appropriate CAS as follow up to the original report.
- 5.3.3 The person making a report to the CAS shall advise the principal or designate of the call, the information shared including recommendations, actions, and outcomes of the call. The call may be made in conjunction with the principal, or designate, but it is still the initiator's responsibility to report.
- 5.3.4 The person reporting to the CAS shall:
- 5.3.4.1 comply with the directions from the CAS with respect to informing the child, detaining the child, communicating with the parent(s)/guardian(s), if appropriate.
- Note: Staff are not obligated to conduct further investigations at the request of CAS and should consult with the principal if such a request is made.
- 5.3.4.2 complete the Reporting Form – Suspicion of Child in Need of Protection.
- 5.3.5 In the case of the principal, supervisor, or superintendent having allegations made against them, the person reporting will consult with the next level of supervisor to complete documentation and proceed with the process, which may include consultation with Human Resources, Labour Management.
- 5.3.6 The principal, or designate, will inform their family of schools superintendent immediately following any allegation of suspected abuse by an employee.
- 5.3.7 It is the responsibility of the principal, or designate, to review the duty to report and reporting procedures with all staff, service providers, and school volunteers annually.

6. RELATED POLICIES, ADMINISTRATIVE REGULATIONS OR PROCEDURAL DOCUMENTS

Board Policies:

[B-3.2, Equity, Diversity and Inclusion](#)

[B-3.3, Human Rights: Code-Based Discrimination and Harassment](#)

[ES-1.1, Safe and Caring Schools](#)

Administrative Regulations:

[ES-1.1.1, Discipline/Promoting Positive Student Behaviour/Code of Conduct](#)
[ES-1.1.1A, Appendix A: Discipline/Promoting Positive Student/Behaviour/Code of Conduct](#)
[ES-1.1.2, Suspension](#)
[ES-1.1.3, Expulsion](#)
[ES-1.1.8, Procedures in the Event of a Bomb Threat](#)
[ES-1.1.9, Substance Use](#)
[ES-1.1.10, Safe Arrival Program](#)
[ES-1.1.12, Sexual Misconduct by Students](#)
[ES-1.1.12A: Appendix A: Police/School Board Protocol](#)
[ES-1.1.13, Anti-Sex Trafficking](#)

Procedural Documents (internal):

[Anti-Sex Trafficking Guide](#)
[Ensuring Student Safety and Protection Together Protocol, 2019](#)
[Police/School Board Protocol \(2016\)](#)

7. REFERENCE DOCUMENTS

Legislation:

[Accessibility for Ontarians with Disabilities Act](#)
[Child and Family Services Act](#)
[Education Act](#)
[Municipal Freedom of Information and Protection of Privacy Act](#)
[Ontario Human Rights Code](#)

Other Documents:

[Ministry of Education, Policy and Program Memoranda 9: Reporting of Children in Need of Protection](#)
[Ministry of Education, Policy and Program Memoranda 166: Keeping Students Safe: Policy Framework for School Board Anti-Sex Trafficking Protocols](#)