
		<b>Commission scolaire English-Montréal</b> <b>English Montreal School Board</b>
<b>POLICY:</b>	<b>SUSPECTED CHILD ABUSE AND NEGLECT</b>	<b>CODE: SS-6</b>
<b>Origin:</b>	Student Services	
<b>Authority:</b>	Resolutions #86-12-17-8.3; #90-06-27-9.1; #92-09-23-7.1	
<b>Reference(s):</b>	Youth Protection Act (1989) Agreement on Inter-sectoral Intervention Following Allegations of Sexual Abuse in the School System	

## POLICY STATEMENT

1. In compliance with Section 39 of the revised Youth Protection Act (1989), in the event that an employee of the EMSB is of the opinion that, at the moment of the suspicion, there are reasonable grounds to believe that the security or development of a child is in danger (Sections 38 and 38.1 of the Youth Protection Act), the employee shall report the incident directly to the Department of Youth Protection.
2. All Board employees shall be expected to be familiar with current Board policy and procedures regarding their obligations under the Youth Protection Act.

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<b>PROCEDURE:</b>	<b>SUSPECTED CHILD ABUSE AND NEGLECT</b>	<b>CODE: SS-6.P</b>
<b>Origin:</b>	Student Services	
<b>Reference(s):</b>	Youth Protection Act (1989) Agreement on Inter-sectoral Intervention Following Allegations of Sexual Abuse in the School System	

## PURPOSE

To provide the procedures to be followed in reporting a case of child abuse.

## GENERAL

Section 39 of the Youth Protection Act states the following:

*“Every person, even one having privileged information, who has reasonable cause to believe that the security or development of a child is in danger within the meaning of paragraph g of Section 38, is bound to bring the situation to the attention of the director without delay.*

*Every professional who, by the very nature of his profession, provides care or any other form of assistance to children and who, in the discharge of his duties, has reasonable cause to believe that the paragraph a, b, c, d, e, f, or h of Section 38 or within the meaning of Section 38.1, is bound to bring the situation to the attention of the director without delay. The same obligation devolves upon any employee of an establishment, any teacher or any policeman who, in the discharge of his duties, has reasonable cause to believe that the security or development of a child is or may be considered to be in danger with the meaning of the said provisions.*

*Any person, other than a person contemplated in the second paragraph, who has reasonable cause to believe that the security or development of a child is or may be considered to be in danger within the meaning of paragraph a, b, c, d, e, f, or h of Section 38 or within the meaning of Section 38.1 may bring the situation to the attention of the director.*

*The first and second paragraphs do not apply to an advocate who, in the discharge of his profession, receives information respecting a situation contemplated in Section 38 or 38.1.”*

## PROCEDURE

1. In accordance with the above, all Board employees who have reasonable cause to believe that the security or development of a child is or may be in danger shall be bound to bring the situation to the attention of the Director of Youth Protection without delay.
  - a. Batshaw and Family Centres  
(Youth Protection Division) 935-6196
  - b. *Les Centres Jeunesse de Montréal*  
(*Département de la protection de la jeunesse*) 896-3300
2. Any employee, who is unsure that there are reasonable grounds to believe that a child's physical or mental health may be affected by abuse or neglect, may discuss this situation with the principal or head teacher and/or other individuals (e.g. teacher, nurse, guidance counselor, psychologist, Youth Protection personnel, etc.), where deemed necessary, in order to establish whether or not there is a reasonable cause to signal the case. Similarly, in the case involving a school administrator or head teacher, the employee may discuss the case with that individual's immediate superior and/or the other individuals indicated above.

If the employee does not have reasonable cause to believe that abuse or neglect has taken place, no further action needs to be taken.

With respect to an allegation of sexual abuse of a pupil involving an EMSB member or volunteer, refer to the set of procedures outlined in the document entitled 'Agreement on Inter-sectoral Intervention Following Allegations of Sexual Abuse in the School System' (See pp. 18-19).

3. In accordance with Section 44 of the Act, 'No person shall reveal or be compelled to reveal the identity of a person who has acted in accordance with Sections 39 or 42 without his consent'.
4. It shall not be the responsibility of the employee who reported the abuse or neglect to prove that the child has been abused or neglected, or to determine whether the child is in need of protection. Therefore, any personal interview or physical examination of a child shall only be carried out in the line of normal daily observations and discussions. Further interviews or examinations shall be the responsibility of the social service professionals so designated by the Director of Youth Protection.

5. In cases of suspected physical and/or sexual abuse of a pupil (under 18 years of age) by an EMSB employee volunteer, four (4) sectors may be involved in the subsequent investigation: the Department of Youth Protection, the police, the courts and the establishment (i.e. the Board). The Department of Youth Protection shall coordinate the collaborative efforts of the four (4) above-mentioned sectors in such an investigation, as described in the 'Agreement on Inter-sectoral Intervention Following Allegations of Sexual Abuse in the School System'.

If, as a result of the reported incident, a staff member requires disciplinary action by the Board, the process described in the appropriate collective agreement shall be followed.

6. **Student Transfers**

When the student under Youth Protection transfers to another school, the school administrator or head teacher shall inform the school social worker as soon as possible after being made aware of the transfer.

7. **Prolonged Absence**

When the student under Youth Protection is absent from school for more than three (3) consecutive days, the school administrator or head teacher shall inform the social worker on that third day.