



## KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

### ADMINISTRATIVE REGULATIONS

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**Section:** Educational Services

- Student Welfare

**Regulation:** SAFE, CARING AND RESTORATIVE  
SCHOOLS: CHILD IN NEED  
OF PROTECTION

**Regulation Code:** ES-1.1.4  
**Policy Code Reference:** ES-1.1  
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This administrative regulation is written in accordance with the guiding principles in Board Policy No. ES-1.1, Safe, Caring and Restorative Schools.

The Board recognizes that every person who “has reasonable grounds to suspect a child is in need of protection” has the duty to report to the Children’s Aid Society (CAS). According to the Ontario Association of Children’s Aid Societies, reasonable grounds refers to “information that an average person, using normal and honest judgment, would need in order to decide to report.” It is a low threshold. Child abuse includes physical, emotional and/or sexual abuse and/or neglect. It may also include exposure to domestic violence.

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

#### **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:

- 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:
  - 1.1.1 failure to adequately care for, provide for, supervise or protect the child; or
  - 1.1.2 pattern of neglect in caring for, providing for, supervising or protecting the child.
- 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,
  - 1.2.1 failure to adequately care for, provide for, supervise or protect the child; or
  - 1.2.2 pattern of neglect in caring for, providing for, supervising or protecting the child.
- 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.

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- 1.4 There is a risk that the child is likely to be sexually molested or sexually exploited as described in section 1.3.
- 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.
- 1.6 The child has suffered emotional harm, demonstrated by serious:
- 1.6.1 anxiety,
  - 1.6.2 depression,
  - 1.6.3 withdrawal,
  - 1.6.4 self-destructive or aggressive behaviour, or
  - 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.
- 1.7 The child has suffered emotional harm of the kind described in subsections 1.6.1, 1.6.2, 1.6.3, 1.6.4, 1.6.5 of section 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.
- 1.8 There is a risk that the child is likely to suffer emotional harm of the kind described in subsections 1.6.1, 1.6.2, 1.6.3, 1.6.4, 1.6.5 of section 1.6 resulting from the actions, failure to act or pattern of neglect on the part of the person having charge of the child.
- 1.9 There is a risk that the child is likely to suffer emotional harm of the kind described in subsections 1.6.1, 1.6.2, 1.6.3, 1.6.4, 1.6.5 of section 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.

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- 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.
- 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.
- 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.
- 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.

### **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.

### **3. Reporting Procedures Child in Need of Protection**

- 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.
- 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.

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- 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.
- 3.4 The person reporting to the CAS shall:
- 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.
- 3.4.2 complete the Reporting Form – Suspicion of Child in Need of Protection.
- 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.
- 3.6 The principal, or designate, will inform the appropriate supervising superintendent immediately following the reporting of suspected abuse by an employee.
- 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.