

STUDENT PROTECTION

POLICY

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1.0 PREAMBLE

- 1.1 In accordance with Section 64(2)(t) of the *Education Act*, school boards are required to establish policies for the protection of students from abuse.
- 1.2 The Halifax Regional School Board recognizes its responsibility to ensure that students attending schools under its jurisdiction are protected by taking all reasonable precautions to screen all persons who may pose any risk to students.
- 1.3 The Board shall,
 - 1.3.1 Protect students from, and inform them of their rights and responsibilities with respect to all forms of child abuse.
 - 1.3.2 Ensure that all school community members, including employees, are informed of their rights, roles and responsibilities with respect to students.
 - 1.3.3 Ensure that school administrators are provided with the information and tools they require to effectively screen all persons prior to such persons having contact with students in the school system.

2.0 SCOPE

- 2.1 This policy applies to all school community members. This includes all new staff (administrative, teaching and support staff), board members, volunteers, community members, or others who will have direct contact with students in the school system.

3.0 EMPLOYEES

3.1 NEW EMPLOYEES

- 3.1.1 On recommendation for hire, all new employees must provide,
 - 3.1.1.1 A completed Department of Community Services *Form XIII - Child Abuse Register – Request for Search* when applying for employment with the Halifax Regional School Board.
 - 3.1.1.2 A certified and true copy of a current (completed in the 3 months preceding offer of employment) police reference / records check. All applicants who have been residents in Nova Scotia for less than 6 months will be required to provide a certified and true copy of a current (completed in the 3 months preceding offer of employment) police reference/records check from their last place of residence.
- 3.1.2 All fees associated with submitting the above forms will be the responsibility of the applicant.
- 3.1.3 Normally, no employee may accept or begin any position with the Halifax Regional School Board until the forms listed above have been received by the Human Resource Services Department.
- 3.1.4 All offers of employment shall be conditional upon there being no outstanding charges or prior convictions that indicate that the employee could pose a risk to students.
- 3.1.5 As defined in Policy B.010 (*Reporting Child Abuse and Neglect*), the Board recognizes the duty of all school community members to report suspected child abuse and neglect. This duty includes the Board's obligation to report to the Department of Education any person who has been refused employment as a teacher as a result of a criminal records check or Child Abuse Registry check. The Executive Director, Human Resource Services, will submit such reports in a timely manner.
- 3.1.6 Prior to offering a position to any prospective teacher, the Human Resource Services Department will contact the Department of Education to ensure that the applicant has not previously been refused employment as a result of a criminal records or Child Abuse Registry check.

3.1.7 Completed Child Abuse Registry Checks, Police Reference checks, and records of inquiry with the Department of Education shall be secured in a confidential file by the Human Resource Services Department.

3.1.8 It is the responsibility of every employee of the Board to contact the Executive Director of Human Resource Services should they be subject to investigation or conviction under the *Criminal Code of Canada*.

3.2 CASUAL AND PART-TIME EMPLOYEES

3.2.1 All casual or part-time employees of the Board who experience a break in service at any time *during the school year* will be required to submit the following documents at the time of their application to return to service,

3.2.1.1 A completed Department of Community Services *Form XIII - Child Abuse Register – Request for Search* when applying for employment with the Halifax Regional School Board.

3.2.1.2 A certified and true copy of a current (completed in the 3 months prior to application to return to service) police reference/records check.

4.0 VOLUNTEERS AND OTHER COMMUNITY MEMBERS

4.1 Prior to volunteering or commencing any other activity in the Halifax Regional School Board's schools, any volunteer with **regular and direct contact with students under the supervision of HRSB staff at all times** is required to only complete an Offence Declaration (Appendix A). This form must be completed on an annual basis.

4.2 Any volunteer involved in overnight trips, coaching or who may have **regular and direct contact or responsibility for students with limited supervision of HRSB staff** must provide annually,

4.2.1 A completed Department of Community Services *Form XIII - Child Abuse Register – Request for Search*.

4.2.2 A certified and true *copy* of a current (completed in the 3 months before volunteer activities begin) police reference/records check.

- 4.3 Any volunteer who may have **regular and direct contact or responsibility for students with limited supervision of HRSB staff**, may not begin any volunteer activities in the Halifax Regional School Board's schools until the criminal records check is complete and the Child Abuse Registry Search has been initiated or completed and forwarded to appropriate staff.
- 4.4 All invitations to volunteer or to conduct other activities in schools shall be conditional upon there being no outstanding criminal charges or prior convictions which indicate that the volunteer or community member could pose a risk to students.
- 4.5 Completed Child Abuse Registry Checks, Police Reference checks, and records of inquiry with the Department of Education shall be secured in a confidential file by the school's principal or vice-principal or appropriate board personnel.

5.0 IMPLEMENTATION

- 5.1 The Board will provide annual information and training sessions to school administrators to support consistent implementation of child protection procedures.
- 5.2 All school administrators are required to review this policy with all staff on an annual basis.

6.0 REFERENCES

- 6.1 Halifax Regional School Board, *Policy B.010 Reporting Child Abuse and Neglect*.

STUDENT PROTECTION

PROCEDURES

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- 2.0 VOLUNTEER AND COMMUNITY MEMBERS**

APPENDICES

- A: ANNUAL OFFENCE DECLARATION**
- B: INFORMATION FOR VOLUNTEERS AND COMMUNITY MEMBERS**

1.0 EMPLOYEES

- 1.1 Prospective employees will initiate the police reference/records check through a local police agency or station and shall provide the current documentation (completed in the 3 months preceding offer of employment) to the Board's Human Resource Services Department.
- 1.2 Prospective employees will submit the Department of Community Services *Form XIII - Child Abuse Register – Request for Search* and the Human Resource Services Department will initiate the Registry check for any applicant who has been recommended for appointment to a position with the board.
- 1.3 It is the responsibility of every employee to contact the Executive Director of Human Resource Services should they be subject to investigation or conviction under the *Criminal Code of Canada*. The Human Resource Services Department will inform all new employees, at the time of an offer of employment, of this responsibility.
- 1.4 In any instance where an offer of employment has been given and the police reference check or Child Abuse Registry check indicates that the employee could pose a risk to students (i.e., the prospective employee has a criminal record for acts of child abuse or is found to be on the Child Abuse Registry), the offer of employment shall be withdrawn immediately.
- 1.5 In all other cases where there is a criminal record, the Executive Director of Human Resource Services may assess the risk posed to students and staff and shall consider the following factors in determining the applicant's suitability for employment,

- 1.5.1 The specific duties and responsibilities of the position and the relevance of the nature of the charge(s) or conviction(s).
 - 1.5.2 The length of time since the criminal charge(s) or conviction(s).
 - 1.5.3 Any other factors that are deemed appropriate under the circumstances.
- 1.6 In any cases where areas of concern are identified following an initial review of past criminal charges or convictions, the Executive Director of Human Resource Services will meet with the applicant in determining their suitability for employment and, where necessary, will consult with appropriate board staff and the Board solicitor to make a final decision regarding the applicant's suitability for employment.

2.0 VOLUNTEERS AND COMMUNITY MEMBERS

- 2.1 Staff should provide a visible, well-trafficked area for volunteers to work with students, such as the library, a hallway just outside a classroom, a room with glass windows and an open door. It is essential that volunteers not be put into compromising one-to-one situations with students or in situations where a member of the teaching staff is not immediately available.
- 2.2 School principals or appropriate school board personnel will ensure that any volunteer with **regular and direct contact with students under the supervision of HRSB staff at all times** is required to only complete the Offence Declaration on an annual basis. If the information collected during this screening process is of concern, principals should contact their School Administration Supervisor.
- 2.3 School principals or appropriate school board personnel will ensure that any volunteer involved in overnight trips, coaching or who may have **regular and direct contact or responsibility for students with limited supervision of HRSB staff** will initiate the police reference/records check through a local police agency or station (Appendix B). Once complete the records check documentation should be provided to the school's principal or vice-principal or appropriate school personnel.
- 2.4 The school principal or vice-principal or other appropriate board personnel will initiate the Child Abuse Registry check once they have received the completed Department of Community Services *Form XIII - Child Abuse Register – Request for Search*.

- 2.5 In any instance where an invitation to volunteer or conduct any other activities in the Halifax Regional School Board's schools has been given and the police reference check or Child Abuse Registry check indicates that the volunteer or community member could pose a risk to students (i.e., the person has a criminal record for acts of child abuse or is found to be on the Child Abuse Registry), the invitation to volunteer or conduct other activities shall be withdrawn immediately.
- 2.6 In all other cases where there is a criminal record, the school principal shall assess the risk posed to students and staff and shall consider the following factors in determining the applicant's suitability for volunteering or conducting any other activities at the school,
- 2.6.1 The specific duties and responsibilities of the position and the relevance of the nature of the charge(s) or conviction(s).
 - 2.6.2 The length of time since the criminal charge(s) or conviction(s).
 - 2.6.3 Any other factors that are deemed appropriate under the circumstances.
- 2.7 In any cases where areas of concern are identified following an initial review of past criminal charges or convictions, the principal will contact the Executive Director of Human Resource Services. The Executive Director of Human Resource Services may meet consult with appropriate board staff and the Board solicitor to make a final decision regarding the volunteer's suitability and will advise the principal in a timely manner.