

THE UNIVERSITY OF MANITOBA

AN ANALYSIS OF CHILD ABUSE POLICIES  
IN SCHOOL DIVISIONS IN THE PROVINCE OF MANITOBA

by

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## ABSTRACT

In the spring of 1984, a survey was undertaken to determine what, if any, guidelines had been put in place by local school boards to give direction to school teachers and school administrators in dealing with issues of child abuse. Superintendents of schools in the 47 school divisions in Manitoba were asked to respond to the survey. A response was received from 89% of school divisions in Manitoba.

Results indicated that 17% of school divisions had formal written policy statements, 71% had an informal unwritten procedure, 12% had neither a written policy nor an unwritten procedure. The findings focussed on the six areas of importance to the research question. They are the policy statements, the reporting procedures, legal requirements, staff training, multi-disciplinary team involvement and primary prevention programs.

Recommendations are made concerning policy development, the key elements of a written policy and areas which would warrant study. Future study is recommended in the areas of the impact on school divisions of implementing child abuse policies, examination of model policy statements, student behaviour management strategies and linkages between organizations which deal with child abuse.

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## CHAPTER I

### THE PURPOSE OF THE STUDY

Child abuse is an extremely serious problem in our present day society. It is also a potentially fatal condition to which many children succumb.

Child abuse is manifested in many forms of maltreatment. Robertshaw (1981) categorized the forms as physical abuse, sexual abuse, nutritional abuse, emotional abuse and serious neglect. A child is often afflicted with a violent home situation in which more than one form of abuse occurs (Lystad, 1975).

As agonizing a social problem as child abuse is, a serious spin off for those who survive the abuse is that, upon becoming a parent, these individuals often abuse their own children (Helfer, 1977). Despite the deleterious effect of the cyclical nature of learning such inappropriate parenting skills, the effects of growing up with abuse take their toll on the individual personality resulting often in juvenile delinquency (Van Stolk, 1972), a propensity for hostility and aggression (Reidy, 1977) and an impaired ability for enjoyment (Martin and Beezley, 1977).

As teachers and principals work with and for children daily, have a professional responsibility toward their charges and obey the laws of the land, involvement in monitoring and caring about the treatment of child abuse and neglect often occurs.

Classroom teachers and principals are concerned about the student who is frequently tardy, who is inappropriately dressed for the weather, who is often tired and hungry, who fights frequently with his peers, who often has physical injuries (Fontana, 1973) and whose achievement is low (Frisch and Rhoads, 1982). When these problems occur in a cluster with a particular student, investigation may reveal that students suffer mistreatment at the hands of their caregivers.

In the initial report by the Children's Hospital Child Protection Centre in Winnipeg, Manitoba (1982), it is reported that Manitoba physicians see approximately 50 cases of neglect per month as compared to 5 cases of other forms of abuse. Reporting practices in large North American cities suggest that new child abuse cases are being reported at the rate of 500 per million population per year (Schmitt, 1978) and that, consistent with the Child Protection Centre Report, the ratio of cases of serious neglect to other forms of abuse is 10 to 1. It is postulated that about half of these incidents of abuse involve children six years of age or older (Broadhurst, 1979).

It follows that in Manitoba's population of one million, approximately 250 of the estimated cases of child abuse would be of school age children. According to Chudzik (1983), of the 402 cases of child abuse reported in 1982 in Manitoba, 305 cases involved children four to eighteen years of age, 160 of which involved children aged four to ten.

The continuing involvement of the school in the life of the abused child increases the significance of the school personnel in terms of identifying abused children. In some cases, school personnel will be involved in the re-identification of children who are victims of child abuse. Families in crisis often relocate within a province or across the country in search of work, a fresh start, or to avoid coming to grips with their unhappy circumstances. Despite the fact that these families might not make contact with social service or medical agencies, invariably school aged children will be registered in school somewhere.

There is a potential role for school personnel to play as part of a multi-disciplinary team. In this way, teachers, principals, social workers, doctors, nurses, police, lawyers, friends and family can share their expertise and attempt to jointly assist the abused child and his or her family (Bala, 1982). The school personnel can assist with working with a family in crisis by observing changes in behaviour and performance of a child as evidence of improvement or deterioration in circumstances.



This monitoring function is ideally suited to the school personnel who are trained to observe children's behaviour, to note changes and to consider reasons for the changes (Broadhurst, 1979). In order that school personnel are able to identify incidents of suspected child abuse, what provisions are made to educate the educators in the various features of child abuse about which they must become familiar (NASSP, 1980)?.

What are the legal guidelines and local school board policies that dictate the procedure that school personnel will follow in reporting child abuse? What policy position is taken by School Boards to guide and support teachers and principals in carrying out the difficult duty of reporting an incident of suspected child abuse? What sanctions are imposed by School Boards upon school personnel who turn a blind eye and a deaf ear to the plight of an unfortunate victim of abuse?

Is there an ongoing commitment, in policy, from School Boards to encourage teachers and principals to become members of multi-disciplinary teams which will continue to work with the abused child and his or her family giving support where necessary and possible?

## DEFINITION OF THE PROBLEM

The purpose of this study was to determine the existence of written policies and unwritten operational codes on Child Abuse of School Boards in the Province of Manitoba.

Specifically, the study focussed on the extent to which policies contain the following elements:

1. Reporting requirements that reflect provincial legislation.
2. Inservice training and staff development programs.
3. Designation of school personnel to collaborate with the community multi-disciplinary Child Abuse and Neglect case consultation team.
4. Promotion of primary prevention programs.

## SIGNIFICANCE OF THE PROBLEM

This study was undertaken to see if child abuse policies exist in school jurisdictions in the province of Manitoba and to analyze the policies in view of legislation and the other key elements.

Legislation is of fundamental importance to issues of child abuse as it establishes by statute the right of the state to intervene to protect a child (Robertshaw, 1981). There are three areas of statute that are pre-eminent in addressing cases of child abuse. They are the Canadian Charter of Rights and Freedoms, the Criminal Code of Canada and the provincial/territorial Child Welfare Acts. Such statutes usually form the basis of policies that require educators to report cases of suspected child abuse. Often these statutes are considered to be ineffective and without clout, resulting in under-reporting of cases of suspected child abuse and neglect.

The failure to report has also been attributed to fear, uncertainty and ignorance of the law (Fraser, 1973). It has been observed that many teachers in the province of Manitoba seem to be unaware of the legal obligation to report cases of child abuse and neglect (Lawrence, 1983).

Four of the areas of abuse - physical, nutritional, emotional abuse and severe neglect are dealt with through the provincial and territorial Child Welfare Statutes. In many provinces, notably Manitoba, these statutes are presently undergoing review. In Manitoba, the Manitoba Guidelines on Identifying and Reporting Child Abuse (1984) has been developed to specify interagency cooperation in the respective jurisdictions of law and social services in reporting suspected cases of child abuse and neglect. As well, a Teacher's Protocol (1980) gives some additional information in terms of

identifying and reporting child abuse. (See Appendix D for a copy of the Guidelines and Appendix C for a copy of the Protocol)

The area of sexual abuse is governed by statutes enshrined in the Criminal Code of Canada. The Federal Government of Canada established the Badgley Commission which examined those offences against children and youth which are outlined in the Criminal Code.

In view of emerging legislation in Manitoba, portions of which will be ready for proclamation in 1985, and possible changes to the Criminal Code following the 1984 report of the Badgley Commission, the importance of having child abuse policy statements at the local school jurisdictional level takes on greater significance.

A basic policy framework will enable school personnel to deal not only with the revised legislation to ensure that the new directions can be adequately provided for, but it will ensure that teachers and principals are aware of the law, and that they obey the law.

#### METHODOLOGY

The Superintendent of Schools in the School District of Mystery Lake was asked to respond to the questionnaire on a pilot basis in October, 1983. Questionnaires were distributed to all school divisions in Manitoba in January, 1984. Superintendents of Manitoba

School Divisions were asked to complete the entire questionnaire if their division had a formal policy for dealing with child abuse. In those school divisions in which there was an unwritten operational policy for dealing with child abuse, superintendents were asked to clarify what those informal methods were. This information on unwritten operational policies was collected with the expectation that it might generate useful information for inclusion in a formal policy statement.

Research centred on questions such as the following:

1. Does the policy specify that suspected cases of child abuse and neglect be reported?
2. To whom does the teacher or principal report?
3. Is there a penalty for failure to report a suspected case of abuse and neglect?
4. Are staff provided with training programs to help them recognize child abuse and neglect symptoms?
5. Do school personnel serve on multi-disciplinary teams?

6. Are school district space or resources made available for use by such groups as multi-disciplinary teams?
7. Does the curriculum offered provide training for students on the topics of child development or child rearing?

Formal policies received were comparatively analyzed to determine the presence of one or more of the elements described above.

#### DELIMITATIONS

The survey took place in school divisions in the province of Manitoba. The survey took place from January, 1984 to April, 1984.

#### LIMITATIONS

The study examined written policies and unwritten operational codes on child abuse in use in school divisions in the province of Manitoba.

The study focussed on information available about the 1982-1983 school year.

Due to the changing status of provincial and federal legislation, information provided at the time of writing may require updating as new legislation is proclaimed.

Some school divisions may be unable to respond because they are in the process of establishing policies on child abuse.

Information about child abuse policies and procedures in a school division was requested from personnel in the superintendent's office. No information was requested from school based principals or teachers to confirm that these policies or procedures were implemented.

#### DEFINITION OF TERMS

##### Caregiver

A person who is a parent or who stands in place of a parent.

##### Child

A person who is under the age of majority.

##### Child Abuse

The interaction between a caregiver and a child which results in nonaccidental harm to the child's physical and/or developmental state.

### Neglect

The lack of interaction between a caregiver and a child which results in nonaccidental harm to the child's physical and/or developmental state.

### Policy

A purposive course of action given by a governing authority, such as a Board of Trustees, to all concerned employees.

### Policy Adoption

The decision to proceed with an innovation. This would be supported by a School Board Policy Statement and Guidelines to follow at the local school.

### Policy Implementation

An identified course of action which will be effective in achieving the intended outcome of making the policy effective.

### Primary Prevention

Instruction given to children, before they become parents, on appropriate parenting behaviours and knowledge of child growth and development.



### Secondary Prevention

The identification of abused and neglected children. This includes the requesting of assistance of other agencies of society to prevent recurrence of abusive and neglectful behaviours toward the children.

### School Division

One of the forty-seven unitary divisions legally established in the province of Manitoba.

### Stratum One Division

A division whose enrollment exceeds 5500 students.

### Stratum Two Division

A division whose enrollment is 2000 to 5500 students.

### Stratum Three Division

A division whose enrollment is less than 2000 students.

## ORGANIZATION OF THE THESIS

The purpose of this study has been delineated. Chapter Two will present a review of the literature pertaining to the study to provide an appropriate background. This study will address the following topics:

I     Child Abuse and the School

II    Child Abuse Policies

Chapter Three will describe the methodology for data and collection, and will present a collation and analysis of the data collected. In Chapter Four, a summary of the study, conclusions reached, and recommendations derived from the findings will be presented.

## CHAPTER II

## REVIEW OF THE LITERATURE

This chapter will propose a rationale for the involvement of the school in issues concerning child abuse. This rationale is based upon a consolidation of ideas from a number of writers, researchers and participants in the fields of education, health, social services and the law.

In synthesizing views of these individuals, the following outline has been established and will be expanded upon in this chapter.

## I Child Abuse and the School

The School and Society

Types of Child Abuse

Why Are Children Abused

Why Schools Should Be Concerned About Child Abuse and Neglect

Role of the School

## II Policies on Child Abuse

Why Have Child Abuse Policies

Components of Child Abuse Policies

Development and Implementation of Child Abuse Policies

The place of the school in society will be described from both a historical and philosophical perspective. The impact of these two perspectives on curriculum will be examined. A discussion will then take place concerning child abuse and the school. In this section, a description will be given of the varying forms of child abuse and neglect as well as the role of the school in response to each aspect. The literature section will conclude with a discussion of child abuse policies and of their importance.

I expect in this manner to present to the reader some of the important links between the school system as an agency of the society in which we live and of the phenomenon of child abuse and neglect which as a disease is a concern to our present day society.

## I CHILD ABUSE AND THE SCHOOL

### THE SCHOOL AND SOCIETY

The school is a mirror of the society in which it exists. This means that the school program structure is built upon a form of shifting sand that conforms to demands made of it. When public pressure is exerted at the same time that financial resources are made available, new programs and emphases can be established. Should obstacles be placed in the path of an innovation, be they in the form of time restriction, financial

constraint, or negative parental reaction, curricular change can be brought about very slowly, if at all.

Curriculum is described in the Senior Dictionary of Canadian English as "... the whole range of studies offered in a school...." (W.S. Arvis P.D. Drysdale, R.J. Gregg and M.H. Scarzill, 1973, p. 285). The curriculum is designed to attain the goals established by society for the schools. It is a pot-pourri of those subjects deemed to be necessary for functioning in the adult world. Those requisite skills for life as an adult have changed and shifted through the centuries to conform to the prevailing philosophy.

Historically, the dominant philosophies have been Classicism, Renaissance Humanism and Liberalism. The Classicists, as represented by Plato (Bowen, 1972), believed the purpose of the school was ultimately to lead its students to final unity with God through intellectual wisdom.

Early Christian education inserted the study of Christian doctrine to the existing school curriculum. The original classical educator emphasized the development of the mind and spirit. The early Christian educators accepted the duality of human nature and acknowledged that as the flesh need guidance to avoid evil, so the intellect needed assistance to attain the goal of knowing, loving and serving God (Dupuis, 1966). The

Renaissance Humanists reacted against the dominance of theological concerns and emphasized the student as a free being rather than as a child of the church or state. The Liberal philosophers affected both educational theory and the actual operation and curriculum of schools. John Locke demanded a method of education that would encourage initiative, independent judgement, observation and critical use of reason (Ulrich, 1950). A proponent of the innate goodness of man, (Dupuis, 1966), Jean-Jacques Rousseau's ideas had far-reaching effects on education. He jolted educators out of their complacent routine, changed educational methods, and influenced the attitude of parents to such a degree that childhood was no longer considered a merely inferior state of adulthood (Ulrich, 1950).

The early liberal was very outspoken in the rejection of the narrow intellectualistic goal of the conservative school, and agreed that the school is responsible for the development of the whole child (Dupuis, 1966).

The Classicists and Renaissance Humanists were conservative in their outlook on the mandate of the school in that they emphasized cognitive development and physical development to the extent necessary to support development of the intellect. The liberals advocated that the mandate of the school was to address the present and future needs of the whole child for cognitive, affective and psycho-motor development.

A study of curricular offerings in school jurisdictions in North America would indicate that a liberal oriented curriculum is in place in Canada and that educational theorists and parents would put more, not less into the curriculum. It is from this philosophical base that educators can give consideration to expanding the curriculum to respond to the issues that impact on the child in school who is a victim of abuse and neglect.

#### TYPES OF CHILD ABUSE

Child abuse involves pain and hurt. The severity of the pain and hurt is intensified when it is caused by those family members on whom a child should be able to rely for love, affection and support (Zemdeg, 1980). Family based child abuse is a severe breach of trust and as the abuse engenders in the victim a suspicion about love, it warps attitudes about life.

Child abuse has many forms. They are physical abuse, sexual abuse and emotional abuse. Within these categories are acts that are committed upon children. Child neglect is a differing subset of the phenomenon of abuse in that the harm is done to a child through acts that are omitted.

All discussions of child abuse and neglect are predicated upon acceptance of the principle of "parens patriae" which refers to the state being the ultimate guardian of the child and that

the welfare of the child is paramount to all other considerations (Patterson and Thompson, 1980). It is of interest to note that communist nations claim a virtual absence of child abuse under Communism. Beezley (1977) felt that such an achievement may be attributable to the fact that communist children belong to the State, and no one is allowed to damage state property.

## 1. Physical Abuse

Physical abuse of children occurs to new born infants as well as adolescents. The notion that an adult could severely harm a defenseless, dependent infant is abhorrent to our society. The converse is often true with regard to adolescent abuse where it is excused by believing that adolescents can run away or can defend themselves and that adolescents often deserve what they get (Lourie, 1977). Approximately half of reported cases of physical abuse occurs with school aged children (Broadhurst, 1979).

Broadhurst (1979) defines physical abuse as "... any non-accidental physical injury caused by the child's caretaker" (p. 12).

## 2. Sexual Abuse

Bala (1982) defines sexual abuse as "... the involvement of



dependent, developmentally immature children and adolescents in sexual activities that they do not fully comprehend to which they are unable to give informed consent, or that violate the social taboos of family roles" (p. 22).

Research done by Nielsen (1983) led her to conclude that sexual abuse may exceed physical abuse in prevalence. Statistics uncovered by both Nielsen (1983) and Badgley (1984) would indicate that in North America, a high percentage of women and men were sexually abused as children or were victims of one or more unwanted sexual acts.

1. Nielsen 15 - 33% women in U.S.

5 - 10% men in U.S.

2. Badgley 50% women in Canada

33% men in Canada

Sexual assaults on children may be categorized according to the perpetrator and to the frequency of occurrence. Assaults by strangers constitute a small percentage of child sexual abuse and are usually single episodes. In contrast, victimization by acquaintances or family members is more likely to occur repeatedly over a period of time (Nielsen, 1983). Burgess and Groth (1980) report an inverse relationship between the amount of violence exhibited in the offense and the incidence of such

offenses. This would imply that the most common sexual offense against children would be witnessing acts of exposure. The least common such offense would be the lust murder of a child.

Burgess and Groth (1980) found that boys were equally at risk of victimization as girls. Nielsen concurred with this and reported that boys are less likely than girls to report sexual abuse.

Incest, defined as sexual contact between family members, is the most common type of child sexual assault and is the longest in duration from the initial assault to disclosure. This is confirmed by Dr. Doug Luckhurst, deputy medical health officer for Winnipeg, who stated that while people are more apt to report cases now, there probably is a true increase in sexual abuse quite apart from an increase in reporting. Winnipeg city police reported a 92 percent increase in the investigations of child sexual abuse during the first ten months of 1984 compared to the same period in 1983 (Winnipeg Free Press, November 12, 1984).

Dr. Charles Ferguson (1983) found a high degree of reporting cases of sexual abuse of teenagers. He postulates that these cases might be referred "more easily" by virtue of their complexity, their victims being more articulate and requiring of counsel as well as the older child's being able to gain a degree of help by her/his persistence which is not a factor with children aged three to six years.

Disclosure usually comes out inadvertently and will probably be precipitated by an outside event, such as anger, potential deviance, or gained independence (Doyle and Duggan, 1979).

### 3. Emotional Abuse

Emotional abuse always underlies physical abuse and most cases of sexual abuse. It can also occur in isolation where it includes blaming, belittling, or rejecting a child; constantly treating siblings unequally; and persistent lack of concern by the caretaker for the child's welfare. (Broadhurst 1979). Patterson and Thompson (1980) wrestle with a definition of emotional neglect. They present three definitions which focus on the ideal, the functional and the legal aspects of emotional development. In general emotional neglect is considered to be a situation in which a child fails to attain the maximum development that might be expected of him.

Opochinsky (1981) cited school teachers as offenders in emotional abuse when they give preference for brighter children. He also describes cases of emotional harm being done to a child whose parents dote on him or her and thus fail to adequately prepare the child for the realities of the world.

Barker (1981) believes that emotional abuse is perpetrated through failure on the part of some parents to give the unconditional love and nurturing that a child requires.

#### WHY ARE CHILDREN ABUSED?

Articles in newspapers and magazines describe the events which surround cases of child abuse and neglect. The question often posed is why these violent acts occur. The literature describes some influences which provide the framework for family violence.

##### 1. Tolerance for Violence

There is a tolerance for violence in our society which is manifested by society being less critical of a parent who in a public place spans a misbehaving child than it would be of a parent who in the same circumstances, attempts to reason with the child.

Bala (1982) writes that "Family violence varies by societal interpretation. Homicide is rarely considered legitimate in any society while spankings are considered by some to be necessary to the socialization process" (p.14). Further to that, Bala notes

that if a parent or other adult physically abuses a child, that adult is subject to criminal law governing assault and homicide. The criminal code, however, does make special provision for dealing with the discipline of children.

Section 43 states

Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances. 1953-1954 C. 51 S. 43

Fraser (1977) comments that the law which requires suspected child abuse and neglect be reported is inadequate. Because people are too afraid or uncertain or unaware to report, abusing parents are not stopped.

ten Broeck (1977) examines child abuse from a historical perspective. Society is not presently as tolerant of child battering as was the case a century ago, or even earlier in this century. The present day child batterer is using outmoded parenting skills from an era when many parents battered their children. The notion that child abuse and neglect are problems worth treating is a recent development.

In reporting his concerns to the U.S. Senate Subcommittee on Children and Youth, Gil (1973) ponders the question of why children are abused and he describes an issue that is deeply rooted in our society and which tolerates and accepts use of physical force in rearing and disciplining children.

✓ Van Stolk (1972) describes our culture as one in which every aspect promotes the idea that unquestioning obedience must be demanded, and given, or society will crumble. She depicts the North American society as being ambivalent on child rearing but supportive of physical punishment. Such family violence results in children and wives being physically harmed. Van Stolk (1976) cites a masculine-oriented society which has ignored the dilemma for centuries as the support system for family violence.

Bakan (1971) also examines child abuse from the historical perspective. Child abuse was not acknowledged openly until recent times and he describes it as a response to limited resources. He believes that child abuse can be openly treated now because:

1. The x-ray plate can reveal stages of bone healing.
2. Technology has brought increased resources.
3. Human population control is now possible.

Media descriptions of child abuse cases often portray the sensational, highly dramatic crimes that are committed against children. Perpetrators of such crimes are depicted as mentally unstable, psychotic individuals. Bakan and Leavitt (1981) do not concur with such descriptions. Bakan describes less than 5% being psychotic. Leavitt believes 10-20% of child abusers are psychotic.

Some authors have carefully examined the child abuser. Van Stolk (1972) found that almost all child batterers appear to hold a hard core belief in authoritarianism. These parents believed that authority within the home must never be challenged. She further describes that "Among those individual child batterers who were actively involved in their religion, there was a greater than average adherence to a very strong, rigid, authoritative fundamentalist type of belief" (p. 17).

The Illinois office of Education (1978) examined the 60,000 cases of Child Abuse which occur in the U.S. each year and prepared the following portrait of a child abuser.

1. Over 90% are married, not divorced or single.
2. A "typical" child abuser is 26 years old.
3. In 52% of cases, men are the offenders. Women murder babies five times as often.

4. Most abusers are loners. They have few friends and receive no support from spouses.
5. Usually only 1 child in a family is picked on. This child was wanted and was not born out of wedlock.
6. In 55% of cases, abusers pick on male children.
7. In 50% of cases, the abused child is under two years of age.
8. More than 80% of abusers attend church.
9. Only 8% of abusers are alcoholics. In U.S. adult population, 14% are alcoholics.
10. Only 2% have ever tried an illegal drug. In U.S. 12% of adults have tried an illegal drug.
11. More than 90% of the abusers are registered voters.
12. Many abusers were themselves abused as children. They do not see themselves as abusers.
13. Abusers set unrealistic expectations for their child.
14. Abusers abuse the child who resembles them physically.
15. In 25% of cases, the child with the same name as that of the abuser is abused. In the general population, 40% of children have the same name as a mother or father. (p. 188)



## 2. The "World of Abnormal Rearing" Cycle (a.k.a. W.A.R. Cycle)

Having been a child and watching parental behaviour, internalizing how to respond to daily events form the precepts upon which a new parent builds a relationship with a newborn infant.

In cases where the new parent was abused by his or her parent, the parenting behaviour that will be modelled is abusive. Van Stolk (1972) refers to the passive aspect of this in discussing the parent who does not respond to screams from his child because no one responded to his screams when he was a child. She claims the key factor in making human beings who are incapable of battering their children is the training and response to human beings that they experience when they are growing up. Bakan (1971) refers to this modelling process when he states that violent persons tend to have been victims of violence. Howell (1976) cites as a most frightening outcome of child abuse the imprinting in a pseudo-hereditary pattern in which, after enough imprinting the child has little option but to develop into the same kind of person.

Queen and Queen (1980), Wetzel and Ross (1983), and Truesdell (1977) describe statistically the rate of repetition of this inappropriate parent modelling.

Queen and Queen (1980) claim that 30% - 60% of abusive parents were abused as children. Truesdell (1977) claims that 90% of abusing parents were themselves abused as children. Wetzel and Ross (1983) describe a more extensive influence of family violence in which 42% of the abusers were abused as children, 53% had seen violence in their homes; of those who had witnessed violence, 75% had seen their fathers beat their mothers. Martin (1973) does not refer to a percentage, but does state that most abused children become abusing parents.

The term W.A.R. cycle was first used by Helfer (1977) who noted in doing case histories that abusive parents were doing what seemed to them to be the job of a parent and that they behaved as had their own parents.

A role reversal occurs with the W.A.R. parent expecting the child to fulfill all his or her previously unmet needs. While biologically, the infant cannot fulfill such an unrealistic expectation, he usually learns to comply to a degree with his parents demands, as to not do so can result in a painful experience for him.

Helfer acknowledges that all children comply to a degree. He emphasizes that W.A.R. children do so to an abnormal degree as they have needed to learn this adaptation as a protection device. The abused child is frequently the one who does not learn to role

reverse well. The W.A.R. child has an extremely low self image which he has acquired as he has learned that trust hurts and that only in isolation is there safety. Because of this psychological scarring he is now unable either to use others to help him or to help them himself.

When the W.A.R. child selects a mate he or she has little to bring to the relationship which usually reinforces feelings of inadequacy and frustration. W.A.R. children do not make good friends as they are unable to help another individual.

Because the W.A.R. child never has his own needs met but is from the beginning expected to meet the needs of others, he misses the normal childhood that every individual needs in order to become self-actualized as well as to develop the capacity for becoming a successful parent himself.

Bassoff (1982) describes situations of abuse as disturbed relationships. She characterizes them as:

1. Parent originated disturbances where the parents try to serve their own needs through their infants.
2. Infant originated disturbances where special characteristics of a baby with an abnormality trigger disturbances.

3. Society originated disturbances where norms, values and expectations of society have a negative impact on the relationship between the parent and the infant.

With reference to sexual abuse, Nielsen (1983) discusses an intergenerational problem in which adults who were sexually abused are at high risk for victimization as it would apply to committing abuse or failing to protect their own children.

### 3. Parent Stressors

The stress caused by being a parent is significant. Le Masters (in Bassoff, 1982 p. 229) describes parenthood as a crisis, an event that overwhelms normal coping skills for close to 90% of the well adjusted, happily married participants of his study. He contends that parenthood is romanticized and that new parents are not prepared for this role.

Bakan (1971) describes many parents as being resentful of the burden imposed on them by child care. He advocates understanding child abuse as a reaction to the strains of parenthood. The total style of life of the mother and father must be radically modified in the acceptance of the parental role.

Bolton (1983) describes pressure points for a family that may lead to child maltreatment. These are financial stress, unemployment, low level of education, youthful parenthood and having too many children too quickly. Characteristics of these stressors would be low level coping skills, inability to learn from and to adjust to crises, poor knowledge of child care, unrealistic expectations of children and loneliness.

Nielsen (1983) refers to a disorder of power on part of the offender in her analysis of child sexual abuse.

Kameen and Thompson(1983) and Van Stolk (1976) make reference to a high correlation between substance abuse, usually alcohol, and violence toward children in a family. This information should be considered in light of the portrait of a child abuser presented by the Illinois Office of Education listed on page 26.

#### WHY SCHOOLS SHOULD BE CONCERNED ABOUT CHILD ABUSE AND NEGLECT.

The literature references to why school personnel would be concerned about child abuse and neglect may be categorized in terms of:

1. Perspective on the child and family.
2. Damage done to the child by acts of child abuse.

3. Concern for the child's potential for criminal involvement as an adult.

1. Perspective on the Child and Family

Bolton(1983) describes the school's perspective on the child and family as unique in that it is the only social agency with longitudinal perspective. During the course of a school year or several years, school personnel can observe family history, change, stress and crisis and, may thereby be able to anticipate problems that may lead to child maltreatment.

Riggs (1982) describes school involvement and relationships with the home taking place before incidents of abuse were known as well as after the child care agency has closed its files on the case.

Van Stolk (1972) refers to an opportunity on the part of abusive parents to conceal problems when the social worker visits. The social worker makes an appointment and is in the home for a finite period of time. She claims that:

".....at other times they (parents) continue their general pattern of abuse and the state of the child is as miserable as ever" (p. 69).

The school is in a position to observe the "general pattern" as well as the "state of the child". Zemdeg (1980), Howell (1977), and Gifford and Morgavi (1981) expand on the perspective of time in discussing the importance of school to an abused child. Zemdeg (1980) describes her experiences as an abused child and she relates the importance of having a daily escape from the home. She also describes the total devastation which resulted from confiding about her abusive home life to a teacher when the teacher refused to believe the story. Howell (1977) presents the school as a haven to the abused child. In the school adults are giving, non-threatening and kindly.

Gifford and Morgavi (1981) describe several reasons why school is of importance to the abused child.

1. Children spend more time at school than at any other place except home.
2. Teachers are trained to identify and seek solutions to a variety of learning problems. They should be able to do the same with child abuse.
3. Teachers may provide the only example of healthy adult behaviour which the child has ever known.
4. School may be the only stable environment known to the child.

2. Damage done to the child by acts of child abuse.

Queen and Queen (1980) describe the problem of child abuse from the viewpoint of the society at large in stating that:

"Because abused children are less likely to become productive members of society, they have a greater potential to become dependent on the welfare, social service or criminal justice systems in the future" (p. 445).

Leavitt (1980) exhorts school personnel to re-think their priorities in a time when there is a push to concentrate on the "basics" in a school curriculum. He bases this on a comment that "... we cannot teach a dead or physically or psychologically abused child" (p. 270).

Several writers address factors which affect academic performance. Riggs (1982) advocates that school personnel be sensitive to factors which might retard academic progress. An association between child abuse and mental impairment and learning disability has been reported. (Frisch and Money, 1982).

Kline (1977) responds on impaired cognitive development in citing a high incidence of neurological damage, physical defects, emotional disturbance and developmental retardation.



Queen and Queen (1980) cite physical abuse or neglect as reason for permanent injury on the part of 20%-30% of children.

3. Concern for the child's potential for criminal involvement as an adult.

Emotional harm which may lead to crime or violence later in life is referred to by several authors. Abused children account for a considerable amount of juvenile court time. Queen and Queen (1980) and Van Stolk (1972) refer to studies of 100 juvenile offenders in which 80% were victims of child abuse as children.

Child abuse may be a variable that accounts for socially unacceptable behaviours (Kline 1977). Kline reports that victims of physical abuse tend to commit crimes against people - rape, assault while victims of neglect tend to commit crimes against property - vandalism, shoplifting.

When one considers that abuse and neglect deprive the victims of the benefits of society and cripple society itself, the question of whether school personnel should be involved is answered, in the affirmative. What remains to be examined is the role that will be played by school personnel.

## ROLE OF THE SCHOOL

The role of the school is extensive in the area of child abuse. It may be categorized as concerned with:

1. Identification
2. Reporting
3. Supporting the child and family
4. Prevention

1. Identification

A. Gifford and Morgavi (1981) describe three aspects of the teacher role in identifying child abuse and neglect.

1. Inservice training is needed so that a teacher can recognize the signs of child abuse.
2. Teachers can observe children and their parents.
3. Teachers should make anecdotal records when observing problems related to hygiene, nutrition or medical neglect.

- B. If a school staff member is going to be able to identify child abuse and neglect, he or she will require training in what to look for as signs and symptoms.

In most cases, teachers are not trained to identify abused children (Queen and Queen, 1980). When this training does occur, an increase in child abuse referrals usually results. Teacher training should take place once per year, in the first month of school and should deal with:

1. Professional and legal responsibilities
2. Reporting of child abuse
3. Interagency cooperation
4. Definition
5. General factors

(Zgliczynski & Rodolfa, 1980; Molnar and Gliszcinski, 1983; Leavitt, 1981). This training should be provided for all members of a school staff as well as school trustees (Bolton, 1983).

## 2. Reporting

Components of the child abuse question are

identification, investigation and intervention (Fraser 1977). It is the area of identification which has an impact on teachers. Once the identification has occurred, reporting to a mandated child care agency is required. Failure to report can result in civil and criminal liability. At present, punishment for failure on the part of a professional to report child abuse is punishable by summary conviction which is a fine not exceeding \$500.00, imprisonment for not more than three months, or both (Section 4 of Summary Convictions Act). The proposed Child and Family Services Act for the province of Manitoba (draft September 1983) outlines the possibility of sanctions through the professional organization when suspected child abuse is not reported.

Broadhurst (1977) describes the reporting of child abuse and neglect as the beginning of a process which will see school personnel involved in notifying parents that a report has been made, telling the child what will happen in making the report, and working to support the child and family through involvement with various committees.

Staff members should report only what the law requires and what they know and have observed. It is suggested that school personnel keep in mind that a report is a request for an investigation and that the abuse is suspected, not proven

by school personnel.

The school is an intermediary prevention system that can identify and provide help before abuse and neglect are severe and the damage irreparable (Fossum and Sorenson 1980). The school can intervene by making referrals and identifying resources.

In general there is an unwillingness to see schools involved in reporting child abuse and neglect on the part of community members (Queen and Queen) 1980; Green 1977); (Rowe, 1981), school administrators (Martin, 1973) and school teachers (Shanas, 1975; Queen and Queen, 1980; Molnar and Glizczinski, 1983; Green 1977).

School principals fear having to face an irate parent after reporting suspected child abuse. As well, school personnel fear involvement, uncertainty of legal procedures, reporting a social peer and the drain on emotions.


### 3. Supporting the Child and Family

The School that is concerned with the total development of the child has the potential to be the most important link in the preventive and protective chain for cases of child abuse and neglect. (Davis 1977).

It is in the best interests of the school to reach out to the socially isolated parent to build positive interactions, to help parents set realistic goals for their children and to demonstrate disciplinary procedures that are not power oriented.

✓ The school must avoid forming a coalition with the child against the parent. When parents and teachers work together a more advantageous relationship for the child is achieved. (Friedman and D'Agostino 1980).

School personnel can assist the child and family through recognizing that, despite the abuse, many children display a considerable amount of loyalty and devotion to their parents. Leaving that bond intact while trying to change the child's perception that he/she is bad may be a goal for school personnel (Riscalla, 1975, Truesdell, 1977). Teachers must approach the tasks of working with abusive ✓ parents very carefully. The teacher can share in some aspects of parenthood with the parent if the teacher can be non-judgmental with his or her personal feelings about abuse. The child faces great risks if the parent does not receive help and if a struggle ensues between the home and school (ten Broeck 1977).



The school has a role to play as part of the multi-disciplinary team (Price, 1978; Gifford and Morgavi, 1981; Broadhurst 1977). Such involvement would acknowledge teachers as competent, experienced observers of children and would make better, more extensive use of the schools as a resource.

#### 4. Prevention

The role in prevention afforded the school system is comprehensive. The scope includes education for parenthood, personal safety programs and the school disciplinary practices.

##### A. Education for Parenthood

The skills of being a parent are often learned on the job and tend to reflect the modelling provided in the parent's own childhood. In the interests of better preparation and breaking the cycle of abuse, some education for the realities of day to day parenting is desirable.

Primary prevention is the prevention of child abuse before it happens. Secondary prevention is preventing child abuse from occurring again. There is

✱ a potential for the school system to be involved in the primary prevention aspects through teaching child development and child rearing to students before they become parents. The secondary prevention may be provided when abuse has been identified and help is needed from a support system. In a supportive role, the school can assist those who want help but do not know where it might be obtained. (Gifford and Morgavi, 1981). Several proposals exist for parent education programs. They focus on the narrow aspects of family relationships, self respect (Rowe, 1981) and self esteem in the parenting role (McAffee & Nedler, 1976) as well as on the more broad aspects of coping strategies, forums on discipline (Broadhurst 1977) living skills (Kameen and Thompson) (1983) and interpersonal skills (McAffee and Nedler, 1976 and Helfer, 1977). Van Stolk (1972) describes the tasks as those of teaching empathy and of how to be kinder and more easy going with children.

#### B. Personal Safety Programs

✱ Personal safety programs may be likened to programs which prepare children for nuclear war. We want children to be capable and ready to act if the danger is imminent, but we do not wish to frighten them into immobility.



Personal safety programs have as their objectives, the teaching of body valuation and self esteem. In most cases they concentrate on being touched and helping a child to process whether or not some touches should be refused.


The encouragement of a child to say "no" to an adult is anathema to many adults. There is a fear that children will lose respect or will behave in a rude manner toward adults. Part of the message of these programs must be to communicate to adults the value to a child in terms of body valuating and self esteem which lead to personal safety that can be gained through such programs. Feelings Yes, Feelings No; Red Flag, Green Flag; You Belong to You; Spiderman are examples of these programs. As was reported in the Free Press (October 4, 1984), such programs are recent phenomena which have not been subjected to a review. Caution is encouraged that persons selecting a personal safety program for use with children make the selection with a sensitivity to material which might scare children and not teach them much of anything.


#### C. Corporal Punishment

Since schools reflect societal norms in terms of

curricular emphases it is not surprising that disciplinary styles would correspond to the orientation of society. In some school jurisdictions in Manitoba, use of corporal punishment is not permitted. In most other areas, the use of physical pain as a punishment or as a means of correcting behaviour, is acceptable.

Corporal punishment is considered to be an institutionalized form of child abuse by Feshback (Rowe 1981). Van Stolk (1972) viewed the use of corporal punishment to be punitive discipline. Bakan (1971) addressed the subliminal message inherent in such acts when he wrote.

 "It is impossible to use corporal punishment on the child without simultaneously teaching that the deliberate infliction of pain as a form of persuasion and or a means of gaining ascendancy over others is legitimate" (p. 115).

 Gil (1973) believes that corporal punishment must be abolished as it teaches that "might is right". He elaborates by stating that the most positive outcome of corporal punishment is short ranged, externally enforced discipline based on fear. The widespread acceptance in our culture of the physical discipline of

children is believed by Gil to be the underlying factor in child abuse.

Sloan (1977) concurs with Gil in hypothesizing that

".....if our culture had strong taboos and legal solutions against use of physical force in all adult child interaction, the incidence of child abuse would decrease" (p. 27).

He describes the use of physical force against children as being a part of our "educational heritage".

In discussing treatment programs for victims of child abuse, ten Broeck (1971) examines needs that these children would have in the classroom setting:

1. Routines and consistency to allow the child to develop a sense of predictability and safety.
2. Setting of limits to ensure physical safety.
3. Staff members who are skilled in maintaining patience and are committed to a non-authoritarian, non-violent manner of child rearing.

Since learning requires positive human relations which are apt to be destroyed by the threat or act of corporal punishment (Gil, 1973) school personnel would be well advised to have as their goal discipline based on positive identification with caring adults.

The literature presents a solid case for the involvement of school personnel in issues of child abuse and neglect. The public needs to be informed of that legally and morally required involvement so that fears of curricular impropriety and concerns about school and society together making intrusions on the sanctity of the home can be placed in proper context and allayed.

This task can be facilitated through the development and publicizing of local school jurisdiction child abuse policies. If one considers that many sources report that teachers do not seem to be aware of the law requiring reporting of suspected cases of child abuse and neglect (Fraser, 1973, Lawrence, 1983), the level of awareness about the legal requirement on the part of community members would doubtless not be very great.


### III POLICIES ON CHILD ABUSE


#### WHY HAVE CHILD ABUSE POLICIES

Policies are local-level laws in that they prescribe behaviour within a certain agency or jurisdiction. They have great bearing on an issue because, in being established, policies identify that the issue central to the policy is of importance.

Child abuse policies can be compared to other forms of child protection legislation. In most instances, the Child Abuse Policies come into existence because of child protection legislation.

As was observed by Robertshaw (1980), two major premises must form the basis for child protection legislation. These premises must also underly child abuse policies.

Premise #1. The legislation is important since it is through legislation that the state gives the right to intervene to protect the child. 

Premise #2. The legislation must be as clear as possible because it must be used daily by non-legal professionals as the basis for making initial decisions affecting a child's welfare. 

It is arguable that policy and legislation differ in that teachers as professionals are still required by law if not by policy to intervene, or to report, when suspicious of child abuse or neglect. The danger exists, however, that unless the importance of noticing when a child does not seem to be well treated is raised to a higher level of awareness, such as it is when a local school board enacts policy, such interventions cannot with confidence be expected to occur. That a policy must be written in a clear, easily interpreted fashion is of necessity to guard against confusion of procedure or to avoid an individual making a report of suspected child abuse and neglect to the wrong agency. Volpe (1980) observed that most school boards do not have policies on child abuse. Fossum and Sorenson (1980) and Broadhurst (1977) see child abuse policies as being the starting point for school legal involvement in the concern for maltreated children. Other writers such as Fox (1977), Martin (1973) and Nicholson (1977) regard child abuse policies as being necessary to educate about the law as it applies to reporting suspected cases of child abuse and neglect.

Basically policies on child abuse enacted by school boards of trustees can provide:

1. Protection for school personnel from fear of legal action by outlining the law, supporting that reporting is a part of the function of school personnel and providing a procedure that will ensure reports are made correctly.

2. Protection for students from the repetition of abuse may be given through providing a way for all suspicions of child maltreatment to be reported.
3. A way in which school personnel can help give support to families which are in difficulty.

#### COMPONENTS OF CHILD ABUSE POLICIES

A survey of the literature indicates that policies should have the following four main components:

1. Reporting procedures.
2. Inservice training for school personnel.
3. Support for and a clarification of rules on interagency cooperation.
4. Prevention programs.

##### 1. The Reporting Process

The reporting process refers to what happens to the request for an investigation into the suspected case of child abuse.

In addressing the reporting process, it is observed

that communities do not want their schools to report suspected cases of child abuse and neglect. (Rowe, 1981, National Centre on Child Abuse/Neglect, 1978, Queen and Queen, 1980, Martin, 1973). Rowe feels that, because of this negative attitude, one person should be designated to make official reports of suspected child abuse and neglect. Martin takes the opposing view as he feels that too often administrators fear having to deal with an irate parent and that they then block reports. The Teacher's Protocol for the province of Manitoba (1980) states that one person may be designated as the school contact in reporting suspected cases of abuse and neglect, with the proviso that the person who suspects the abuse is ultimately responsible for making the report to a child caring agency or for being satisfied that this has been made.

Broadhurst (1977) believes that the parents should be notified when a report of suspected abuse and neglect has been made on their child. She feels that parents not only have that right to know, but that when they understand that the school has a legal responsibility that they must fulfill, the hostility is lessened. The National Centre on Child Abuse and Neglect (1978) supports the recommendations that the local community be informed of the legal obligation of school personnel to report suspected cases of child abuse and neglect.



Reporting procedures would outline the legal requirements for a school board professional to report suspected abuse and neglect. In addition, there would be a statement providing immunity to a professional who reports in good faith.

A statement would also be made concerning possible sanctions should a professional have suspicions about a case of child abuse and neglect, but would fail to report them.

## 2. Staff Training

Inservice training so that all school personnel would be able to identify suspected cases of child abuse and neglect is described by Martin (1980) as a way to sensitize school personnel. He sees it as a very important component to educate teachers and principals, who will then be better able to support teachers. Martin proposes that these sessions be offered annually or semi-annually.

The National Centre on Child Abuse and Neglect believes that training should consist of three levels of training sessions. The first would be to create an awareness of child abuse. The second would provide an in-depth information base and the third would advance the skill

development through pinpointing specific skills which would expand or further develop competency.

### 3. Interagency Cooperation

Broadhurst (1977), Queen and Queen (1980), the National Centre on Child Abuse and Neglect (1978) and Bolton (1983) advocate that policies make reference to the cooperation which must exist between the schools and the child caring agencies. This cooperation includes patterning the reporting procedure and guidelines of the agency, working as members of a multi-disciplinary team which would oversee treatment given to children and their families where child abuse and neglect exist.

### 4. Primary Prevention

Included in many recommendations for components in a child abuse policy are recommendations which might be called preventative measures. In this manner, school jurisdictions would be involved in primary prevention of child abuse that would aim to break the cyclical nature of child abuse. Programs such as Parenthood Training, Child Development and Child Rearing techniques, organized activities for latch key kids, (Bolton, 1983) forums on discipline, courses on the phenomenon of child maltreatment (Broadhurst, 1977).

The programs designed to give a child a better sense of self esteem and body valuation are generally called Personal Safety Programs. Such programs as Talk about Touching; Feelings Yes, Feelings No; Red Flag, Green Flag; etc. have been developed to specifically address the sexual abuse of children and to give children the message that it is acceptable to say "no" to unwanted touches from adults (Winnipeg Free Press, October, 1984, Vancouver Sun, November 24, 1984).

#### DEVELOPMENT AND IMPLEMENTATION OF CHILD ABUSE POLICIES

Anderson (1975) describes public policy as "the relationship of a government unit to its environment" (p. 2). He further describes the clout that can be carried by public policies in stating that, "Public policy has an authoritative, potentially legally coercive quality that the policies of private organizations do not have" (ibid p.4).

That policy might be viewed as an instrument for improving or adopting public services was noted by Downey (1977).

Education policies are seen as the embodiment of deliberate choice regarding the operation of schools. (Haller & Strike, 1979).

The power is vested in a local board of trustees to enact a policy on child abuse in isolation from the other societal agencies with whom school personnel would work in implementing such a policy.

This would imply a bilateral process to the development of policies on child abuse. The first level would have the impetus for establishing a policy provided by the Board of Trustees. In this originating step, elements that are basic to child abuse policy statements would be specified for inclusion. The second step would focus on local level personnel who would work with school personnel to design the policy statement. Ideally, personnel from social service agencies, law enforcement and health care professionals would be invited to have input to local policy generation.

If interagency cooperation could be sought to design a policy that would meet the requirements of all of the organizations which share concern for the maltreated child and his family, the outcome would surely achieve a better level of compliance and a willingness to make it work (Beebe and Broadway, 1984).

Where studies have been made on those too few existing policies, there is most often reported in the literature disappointment that the policy does not work. In some cases,

staff are not informed of the policy (Gifford and Morgavi, 1981; Shanas 1975).

As was stated by Haller and Strike (1979): "Obviously, adopting a policy does not, in itself, produce the envisioned change in the world. Policies must be implemented and they are implemented not once but many times. That is, they are converted into actions in many different locations by different actors, and over a period of time. Since these locations, actors and times differ from each other in numerous and important ways, the nature of these implementations will vary considerably " (p. 231).

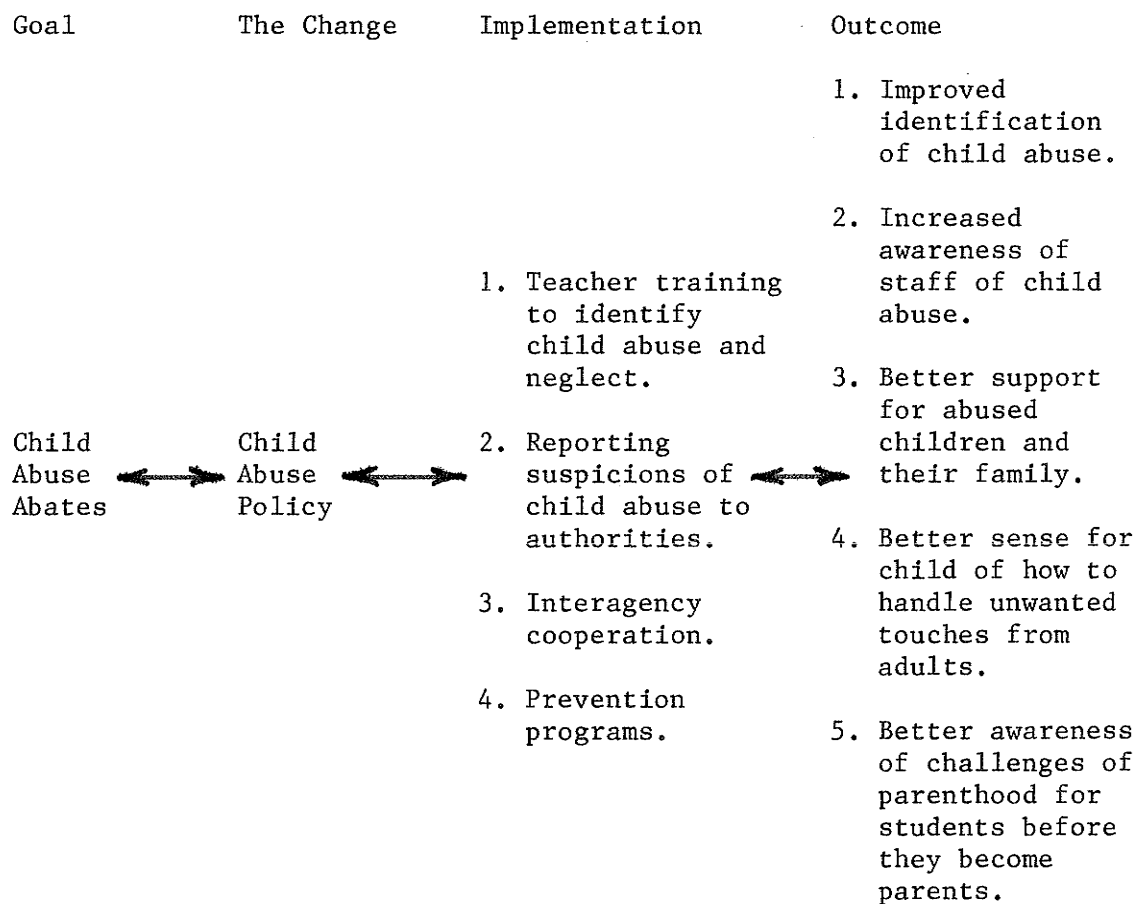
When policies are enacted, therefore, an implementation strategy and an evaluation plan must also be established to be certain that the intended protection for children will be well established in the policy.

The implementation strategy is itself fraught with problems. As was observed by Fullan and Park (1981): "... implementation is less of a problem of dogmatic resistance to change and bad intentions of individuals.... and more of a problem of the difficulties related to planning and coordinating a multilevel social process involving thousands of people" (p. 1).

The planning and coordinating that would be necessitated by the establishment of child abuse policies in school systems in Manitoba would be extensive and would require the efforts of members of the many agencies that deal with child abuse.

If the model "The Logic of Implementation" (p. 10) by Fullan and Park is examined with the focus being on child abuse policy, the logic of implementation of a child abuse policy may be depicted in Figure 1.

Figure 1 The Logic of Implementation



Since implementation of most curricular changes as well as policy changes depends upon people - what they do or do not do and how they do it, an acknowledgement is made that changes get defined in practices (ibid). As such, the two directional arrows are inserted to show that modification might occur.

It is also necessary to state that implementation may be affected at local school jurisdiction levels where implementation does not occur or only partially occurs.

An evaluation scheme is necessary in order to check the relationship between the policy as it is written and the practices that occur. As was observed by Burns, Taylor and Miller (1983) in their study on school closure policies that were established at the direction of the Ontario Ministry of Education, when an analysis was made of the required attributes and elements of school closure policies and the definitive school closure policies of local boards, it was found that "... the relationship between school closure policies and practices are highly tenuous." (Abstract p. iv).

Child abuse is not a new phenomenon but the involvement of education personnel in child abuse issues is supported by the expanded liberally oriented curriculum which is in place. This moral support for educator involvement in child abuse issues is well supported by legal requirements enshrined in provincial and

federal statutes. Child abuse will not go away because we wish it to do so, but perhaps through well designed policy statements, the moral and legal obligations will transcend the potential problems that might be presented to the implementation of such policies in such diverse areas as school jurisdictions in Manitoba and, in so doing, perhaps we can help a child or family to break the vicious cycle of abuse.

(A Model School Division Policy on Child Abuse, developed by Manitoba Education in 1985 is appended as Appendix E).



### CHAPTER III

As has been previously stated, the basic purpose of this study was to examine child abuse policies that were established by school divisions in the province of Manitoba. In this chapter, the methodology used in conducting the research and an analysis of the data collected will be presented.

#### I METHODOLOGY

The elements that will be discussed in the methodology section are the instrumentation, sample and procedure.

#### INSTRUMENTATION

In order to design a questionnaire that was comprehensive in scope and of a suitable format, the literature was consulted in the areas of Schools and Child Abuse and the design of questionnaires. As well, experts in the area of child abuse as it related to their own field of speciality in Law, Social Work, Medicine and Education were consulted to request input to the questionnaire that would be used to survey superintendents in school divisions in Manitoba. Once the items for inclusion in the survey had been designated, a pilot testing was undertaken with the Superintendent in the School District of Mystery Lake. Some revisions of wording, structure and content were undertaken on the basis of the field testing.

A wording change was made in Question 1 to insert that reports of child abuse and neglect may have been made to personnel other than the superintendent. The original wording was:

1. How many cases of child abuse or neglect were reported to yourself during the 1982-1983 school year?

The wording now is:

1. How many cases of child abuse or neglect were reported to yourself and/or to personnel in your school division in the 1982-1983 school year?

A structural change was made in Question 11 to separate the Child Development item from the Child Rearing item. As well, information was sought on the numbers of male students and female students who participated in such programs. The original structure was:

11. Does your school division have a program in the school curriculum designed to train students in Child Development and Child Rearing?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

Course duration \_\_\_\_\_

The present structure is:

11. Does your school division have a program in the school curriculum designed to train students in:

11.1) Child Development

Offered to male students in grade(s) \_\_\_\_\_

Offered to female students in grade(s) \_\_\_\_\_

Course duration \_\_\_\_\_

No program \_\_\_\_\_

11.2) Child Rearing

Offered to male students in grade(s) \_\_\_\_\_

Offered to female students in grade(s) \_\_\_\_\_

Course duration \_\_\_\_\_

No program \_\_\_\_\_

A content change was made to insert item 6. A suggestion was made during the field testing that I seek information on whether there had ever been a case of penalty or reprimand being issued for failure to report suspected cases of child abuse and neglect. Question 6 is:

6. Are you aware of any penalty assigned or reprimand issued to any personnel in your school division who suspected child abuse and neglect, but failed to report such suspicions?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

If yes, please describe.

At the suggestion of several superintendents, the school divisions were divided according to population size. Stratum One School Divisions would be those whose enrollement exceeds 5,500 student. Stratum Two School Divisions would be those whose enrollment is in the range of 2,000 to 5,500 students. Stratum Three School Divisions would be those whose enrollment is in the category of less than 2,000 students.

Questionnaires were distributed to all school divisions in Manitoba in January, 1984. Superintendents of those school divisions were asked to complete the entire questionnaire if their school divisions had a formal policy for dealing with child abuse.

#### THE SAMPLE

The population sampled was that of the superintendents of the school divisions in the province of Manitoba. There were forty-seven

school jurisdictions which were identified as school divisions. These school divisions were located in all geographical areas in Manitoba from the ten school divisions in the metropolitan Winnipeg area to the far flung and regionally subdivided Frontier School Division.

These forty-seven school divisions were categorized in size according to student population. These categories were:

Stratum One - over 5,500 students

Stratum Two - under 5,500 students and over 2,000 students

Stratum Three - under 2,000 students

#### THE PROCEDURE

On January 23, 1984, the survey attached as Appendix B was sent to superintendents of the forty-seven school divisions in the province of Manitoba. Questionnaires were confidentially encoded before mailing so that it would be possible to know whether a school division had responded. A response was received from thirty-three of the school divisions within the first month. On February 24, 1984, a second survey was mailed to the superintendents of school divisions which had not yet responded. A response from four additional school divisions was received. A third survey was undertaken on April 2, 1984 with a response from five school divisions for a total return of 89%.

Data were analysed to determine the following points of information:

1. The number of cases of suspected child abuse and neglect which were reported by school divisions during the 1982-1983 school year.
2. The percentage of cases of child abuse and neglect which were reported by school divisions in each of the population categories of stratum one (over 5500 students), stratum two (2,000 to 5,500 students), or stratum three (under 2,000 students).
3. The percentage of school divisions which had written policies on suspected cases of child abuse and neglect.
4. The percentage of school divisions which did not have a written policy, but did have an unwritten procedure which was followed when suspected cases of child abuse and neglect were noted.
5. The percentage of school divisions which had neither a written policy nor an unwritten procedure which were followed when suspected cases of child abuse and neglect were noted.
6. The percentage of school divisions whose policy and procedure reflected a belief that teachers and principals were required to report suspected cases of child abuse and neglect.

7. The percentage of school divisions in which there is a penalty for failure to report a suspected case of child abuse and neglect.
8. The percentage of school divisions which provide training programs to help staff members recognize the symptoms of child abuse and neglect.
9. The percentage of school divisions which have teachers and/or principals serving as members of multi disciplinary teams established to deal with child abuse cases.
10. The percentage of school divisions which have a program in the school curriculum designed to train students in child development.
11. The percentage of school divisions which have a program in the school curriculum designed to train students in child rearing.

A critical analysis was made of the written policies and the described unwritten procedures which were used by personnel within the school divisions to report suspected cases of child abuse and neglect. This analysis consisted of:

1. Verifying consistency between the policy or procedure and

the law as is reflected in the Teacher's Protocol (1980) or in the Guidelines for Reporting Suspected Cases of Child Abuse and Neglect (1984).

2. Examining inservice training and staff development programs.
3. Identification of School personnel to collaborate with the community multi-disciplinary child abuse and neglect case consultation team.
4. Promotion of primary prevention programs.

## II DATA ANALYSIS

Information was received from 89 percent of school divisions in the province of Manitoba. Information acquired through confidential encoding of the questionnaires made it possible to determine that 90 percent of the student population in Manitoba was represented in the 89 percent of responding school divisions.

The elements which will be discussed in the Data Analysis section are the analysis framework, an analysis of responses and a summary.



## ANALYSIS FRAMEWORK

In order to compare the information received on the questionnaires, a checklist was developed which consisted of the essential elements cited in the literature as being required for inclusion in a policy statement. Information received was comparatively analyzed against this checklist which consisted of:

1. Written Child Abuse Policy
2. Consistency of Policy or Procedure with legal requirements.
3. Staff Training Program
4. Interagency cooperation on child abuse and neglect case consultation teams
5. Promotion of Primary Prevention Programs

## ANALYSIS OF RESPONSES

Information received indicated that an aggregate number of 90 cases of suspected child abuse and neglect were reported by school personnel in Manitoba during the 1982-1983 school year.

TABLE 1  
PERCENT OF REPORTED CASES OF  
SUSPECTED CHILD ABUSE  
AND NEGLECT

School Division Size	Number Of Cases	Percent Of Cases
Stratum 1	9	21
Stratum 2	10	44
Stratum 3	23	34

Twenty-four percent of school divisions responding reported that they did not have information on the numbers of reported cases of suspected child abuse and neglect. Such reasons as confidentiality and lack of central recording of reported cases of child abuse and neglect were given as reasons for statistics not being available.

Seventeen percent of the forty-two responding school divisions stated that they had not reported any cases of suspected child abuse and neglect during the 1982-1983 school year.

TABLE 2

PERCENTAGE OF SCHOOL DIVISIONS WITH  
NO INFORMATION ON REPORTED CASES  
OF SUSPECTED CHILD ABUSE  
AND NEGLECT

School Division Size	Percent	Percent
	No Statistics	No Cases
Stratum 1	56	0
Stratum 2	40	20
Stratum 3	4	22

During the 1982 calendar year there were 402 reported cases of child abuse and neglect involving school aged children (Chudzik, 1984). Since statistics are not available on a month by month reporting basis an approximation has been made in order to calculate the number of reported cases of child abuse and neglect during the ten months of the 1982-1983 school year.

According to John Chudzik(1984), Child Abuse Coordinator for the province of Manitoba, the peak reporting months occur in periods that parallel the school year. He reported that the most significant peak is from April to July, the second most significant peak is from August to October and the third most significant peak is just before Christmas. There is no month during which reporting of suspected cases of child abuse and neglect does not occur.

It seems therefore that each trimester of the year would have at least one peak child abuse reporting period that occurs around a change of season, activity, or holiday. An assumption is made that the number of cases for any given year may be averaged over twelve months. Thus, the 402 cases reported in 1982 are averaged to be 33.5 cases per month. The 578 cases reported in 1983 are averaged to reflect 48 cases per month. A further calculation is required in order to approximate the numbers of cases during the ten school months of the 1982-1983 school year.

September to December, 1982

$$\frac{402}{12} \times 4 = 134$$

12

January to June, 1983

$$\frac{578}{12} \times 6 = 289$$

12

$$134 + 289 = 423$$

This calculation would indicate that 423 cases were reported during the 1982-1983 school year from all cases in Manitoba.

Since Chudzik reports that 75% of cases reported in 1982 a were reported from the school system, this would indicate that approximately 317 cases would have been reported through the school system during that period from September, 1982 to June, 1983 inclusive. These sources within the school system were teachers, principals, guidance counsellors and school nurses. Some of these reporters may have asked for anonymity.

Despite the fact that some school divisions in each strata either did not keep statistical records, reported anonymously, or did not report any cases of child abuse and neglect, the 90 cases that were known to school administrators in the 25 school divisions which responded in the survey that they had reported cases of suspected child abuse and neglect, is significantly different from the 317 cases approximated above.

1. Policy Status: The Written, the Unwritten and the Non-existent.

The three varieties of policy status were found in responses from school superintendents. Written policies, unwritten procedures and neither policy nor procedure were all found to exist in Manitoba.

The larger school divisions, represented in Stratum one, had either a written policy or an unwritten procedure. There was no school division in Stratum one which had neither a written policy

nor an unwritten procedure. The highest percentage of written policies was found in the Stratum One school divisions.. The majority of school divisions in Stratum One would be within the Metropolitan Winnipeg area.

The middle-sized school divisions represented in Stratum Two, had the second highest percentage of written policies. This stratum size had the highest percentage of school divisions with neither written policy nor unwritten procedure.

The smallest-sized school divisions represented in Stratum Three had the highest percentage of unwritten procedures and the lowest percentage of written policies.

TABLE 3  
PERCENT OF SCHOOL DIVISIONS WITH  
A WRITTEN POLICY ON REPORTING  
SUSPECTED CASES OF CHILD  
ABUSE AND NEGLECT

School Division Size	Percent With Written Policy	Percent With Unwritten Procedure	Percent With Neither Policy Nor Procedure
Stratum 1	33	67	0
Stratum 2	20	60	20
Stratum 3	9	83	9
Aggregate	17	71	12

2. Consistency of Policy or Procedure With Legal Requirements.

There are three aspects to the question of following legal requirements:

- A. Is there a belief that school personnel are required to report suspected cases of child abuse and neglect?
- B. Is there a knowledge of reporting procedure specified in the Teacher's Protocol or in the Guidelines for Reporting Child Abuse and Neglect?
- C. Is there any sanction imposed for failing to comply with the law?

The first aspect relates to awareness of reporting requirements. Within a significant percentage of school divisions, administrative personnel report that there is a requirement to report suspected cases of child abuse and neglect. However, the percentage of school divisions in which the belief is that there is not a requirement is high, at 12%. These school divisions which do not believe that there is a requirement to report are found in either Stratum two or three. All school divisions in Stratum One reported that school personnel are required to report suspected cases of child abuse and neglect.

The legal requirements to report suspected cases of child abuse and neglect are stated in terms of it being the duty of a teacher according to section 36(3) of the Child Welfare Act to report suspected abuse to the Director of Child Welfare or to a child caring agency.

"Notwithstanding the provisions of any other Act, every person who in the course of his professional or official duties, has reason to suspect that a child has suffered or is suffering from abuse that may have been caused or permitted by a person who has or had charge of the child, shall forthwith report the suspected abuse to the director or a child caring agency."

With regard to the reporting procedure, the Teacher's Protocol (1980) on child abuse makes provision for the principal to be the contact person and to make a report of suspected child abuse and neglect to the child caring agency on behalf of the teacher. According to information provided in the survey, in two Manitoba School divisions reporting has not been made to the child caring agency.

In one of these school divisions, the referral circulates within the school system in that the suspected cases of child abuse and neglect are reported by the teacher to the principal who then makes the report to the Superintendent of Schools.



In the second case, the report goes from the teacher to the principal who then reports to a medical doctor. A medical doctor does not have the legal mandate for child protection assigned a child caring agency.

In six school divisions, the principal assessed the grounds for suspicion of child abuse and neglect. Such a screening process ignores the mandate provided in subsection 36(3) of the Child Welfare Act which requires reporting on suspicion of child abuse and neglect. The burden of proof rests with the child caring agency.

In one school division which had neither policy nor unwritten procedure, a response to the questions asking what a staff member would do in the event of suspecting a case of child abuse and neglect, a school division official reported that the procedure that would be followed would be 'teacher discretion'. This could imply that the teacher had discretionary power to report or to not report. It could also mean that the reporting procedure used would be at the discretion of the teacher. In either interpretation, the legally required procedure is not followed.

In yet another school division, the reporting of suspected cases of child abuse and neglect involved the principal whose responsibility it was to decide whether or not to proceed with

the report. The stated purpose for the involvement of the principal was to protect the teacher. The need for protection was not discussed in detail. Such a need might possibly stem from two areas of concern: One, the reaction of a small school division community might be negative toward a teacher who would, in making such a report of suspected child abuse and neglect, be seen as criticizing a child rearing practice.

A second possible area of concern would be that the teacher might need legal protection for reporting information about child abuse to a child caring agency. Legal protection is provided in the Child Welfare Act to any person who makes such a report in good faith. The Act states in Subsection 36(4):

"Subsection (1), (2), and (3) apply notwithstanding that the information is confidential or privileged; and no action lies against a person who reports information to the director or to a child caring agency in accordance with this section unless the reporting was done maliciously or without reasonable or probable cause".

It is of interest to note that in one Stratum Three school division, suspected cases of child abuse or neglect are reported to either the Royal Canadian Mounted Police (R.C.M.P.) or to the Children's Aid Society. The School official commented that the experience was more positive when reporting went directly to the

R.C.M.P. The positive aspects might be interpreted as indicating that the reporting procedure was more effective when the R.C.M.P. were contacted. It could also reflect discord between the school and the Children's Aid Society with regard to the effectiveness of the reporting procedure.

The question of a sanction against a school teacher or principal who suspected a case of child abuse or neglect, but failed to report, was not found in 98% of school divisions. In only one Stratum one school division did the official respond that he/she knew of a principal receiving a reprimand for failing to report a suspected case of child abuse or neglect. In the instance described, the principal was told to obey the law.

The Child Welfare Act for the province of Manitoba is currently being rewritten. A preliminary draft (September, 1983) of the Child and Family Service Act outlines proposed wording changes. A consequence for non-reporting a suspected case of child abuse or neglect is outlined in Section IV Subsection 2(4). "Where the agency has reasonable grounds to suspect that a professional person has failed to comply with subsection (1) (to report), the agency may, in addition to or notwithstanding subs (3) instead of any action it may take with respect to prosecution, require any professional society, association or other organization authorized under the laws of the Province to regulate the professional activities of the person, to cause an

investigation to be made into the matter."

### 3. Staff Training Programs

Staff Training to recognize signs and symptoms of child abuse and neglect is spasmodic in nature, as described by responses to the survey. In a few school divisions, there has been an intensive training program for staff at some schools. In other school divisions, the training has been provided only for counsellors and administrators. Information about the nature of the training program was not requested in the survey. However, the frequency of such training was addressed and the results would indicate that there is no school division in the province of Manitoba which provides a systematic, sequential, planned training program designed to provide all staff members with the knowledge required to identify suspected cases of child abuse and neglect.

TABLE 4

PERCENT OF SCHOOL DIVISIONS WITH TRAINING  
PROGRAMS FOR RECOGNITION OF SYMPTOMS  
OF CHILD ABUSE AND NEGLECT

School Division Size	Percent With Training Program	Percent With No Training Program
Stratum 1	89	11
Stratum 2	40	60
Stratum 3	26	74
Aggregate	43	57

In only two school divisions is it written policy that principals are responsible for making staff members aware of the signs and symptoms of suspected cases of child abuse and neglect. Unwritten procedures in an additional sixteen school divisions indicated that some staff training was provided to make individuals more aware of the signs and symptoms of child abuse and neglect.

Despite the evidence that, on a quantitative basis, Stratum one school divisions most often responded that programs were in place to provide training to staff members, it is noted that the frequency of which these are offered ranges from "as required" or "periodically" to "often in some schools". The most regular interval to which a Stratum one school division is committed is once in four years.

The frequency of program offering in Stratum two is comparable to that of Stratum one school divisions. The number of programs that were in place in school divisions in Stratum two was much less. Three school divisions indicated that training was provided to all staff on an annual basis.

The number of programs designed to train staff members to recognize the signs and symptoms of child abuse was significantly lower in school divisions in Stratum three. In two school divisions, there is a reliance on the selection by staff members of an inservice on child abuse from the many professional development opportunities that would be offered to teachers by

the Manitoba Teacher's Society during the Special Area Group Conferences which take place for teachers each October. In 17% of Stratum three school divisions, staff training programs are in the planning stages according to school officials.

It is not possible to examine such programs on a qualitative basis. It is interesting to examine the resource personnel selected to provide training for staff members. In each population category, training programs have been given by personnel from Community Services and Corrections, or the Children's Aid Society, Police, School Division personnel and medical personnel from the Child Protection Centre at the Children's Hospital or public health nurses. In school divisions in Stratum two and three, the Manitoba Teacher's Society was cited as a resource in providing the Special Area Group Conferences.

#### 4. Interorganizational Cooperation

The concept of multi-disciplinary team was familiar to personnel in very few school divisions. This concept would have teachers, counsellors or principals meeting regularly with

personnel from child care agencies, law enforcement agencies, law and medicine to monitor progress being made in cases of child abuse and neglect.

TABLE 5  
PERCENT OF SCHOOL DIVISIONS IN WHICH  
PERSONNEL SERVE ON MULTI-DISCIPLINARY  
CHILD ABUSE TEAMS

School Division Size	Percent On Teams	Percent Not On Teams
Stratum 1	11	89
Stratum 2	0	100
Stratum 3	17	83
Aggregate	12	86

Stratum three school divisions indicated most often that their personnel participated on Multi-disciplinary child abuse teams. In Stratum two school divisions there was no such involvement of school personnel on teams. Only five school divisions in the province participated in multi-disciplinary teams during the 1982-1983 school year.

It is interesting to note that, despite the information that no multi-disciplinary team involvement was exercised by school personnel in Stratum two school divisions, this population category had school officials indicate most often their willingness to host such meetings in school district space. These officials stated that their space would be available if such team involvement were instituted or if school district space were required to hold such meetings.

TABLE 6  
PERCENT OF MULTI-DISCIPLINARY TEAM MEETING  
HELD IN SCHOOL DIVISION SPACE

SCHOOL DIVISION SIZE	PERCENT OF MEETINGS	PERCENT OF MEETINGS
	IN S.D. SPACE	NOT IN S.D. SPACE
Stratum 1	11	89
Stratum 2	20	80
Stratum 3	17	83
Aggregate	17	83

In one response, a school division official reported a willingness to have such meetings take place in school division



buildings, but stated that such a request had never been made.

#### 5. Primary Prevention Programs

The school division response to steps that might be taken to prevent child abuse and neglect was addressed in two questions concerning provision in the school curricula of programs on child development and on child rearing.

TABLE 7  
PERCENT OF SCHOOL DIVISIONS OFFERING SCHOOL  
CURRICULA DESIGNED TO PREPARE STUDENTS  
FOR PARENTHOOD

SCHOOL DIVISION SIZE	PERCENT WITH CHILD DEVELOP.	PERCENT WITHOUT CHILD DEVELOP.	PERCENT WITH CHILD REAR	PERCENT WITHOUT CHILD REAR
Stratum 1	67	33	56	44
Stratum 2	40	60	40	60
Stratum 3	20	80	17	83
Aggregate	38	62	31	69

Programs on Child Development and Child Rearing would seem to be better established in school divisions in Stratum one. According to Stratum one school officials, 67% of school divisions had Child Development programs in place and 56% of school divisions had Child Rearing programs in place.

According to Stratum three school officials, where the lowest percentage of programs were offered to students, 20% had Child Development programs in place and 17% had Child Rearing programs in place.

In all sizes of school divisions, where programs are offered they are most often made available as a component of Human Ecology programs. These programs are usually offered to students in grades 10 to 12 with no program described being of longer duration than one semester. Responses indicate that programs seem to be offered equally to males and females.

One school division school official from Stratum three described the program as "Hit and Miss - not adequately developed". Such a description would seem to also be appropriate to describe a course which a school official reported was designed to teach Child Development to grade five students. This course was offered to students during one morning of the entire school year. Another school official reported that a Child Development course was offered to grade five students during "one session". The session length was not described.

If the aim of programs on Child Development and Child Rearing is to create a generation of parents who will not abuse

their children, information provided would indicate that programs presently described as being in place would do little to realize the aim.

The main reason for this is that programs described were too little, too late. These programs did not span much student time; they were also offered mainly in senior high grades. This timing would preclude participation both of students who leave school before completion of the senior high program and who are unable to select Human Ecology as a course option.

TABLE 8  
DATA FROM SURVEY ON CHILD ABUSE POLICIES IN  
MANITOBA SCHOOL DIVISIONS

	STRATUM 1	STRATUM 2	STRATUM 3	AGGREGATE
1. Number of reported cases	19	40	31	90
Percent of reported cases	21	44	34	
2. Percent Written Policy	33	20	7	17
3. Percent Unwritten Procedure	56	60	83	74
4. Percent No Policy, No Procedure	0	20	9	10
5. Percent Requirement to report	100	80	87	88
6. Percent for not reporting	11	0	0	2
7. Percent Staff Training Provided	89	40	26	43
8. Percent Multi-Disciplinary Team Involvement	11	0	17	12
9. Percent Use of School District Space for Multi-Disciplinary Team	12	11	0	17
10. Percent Child Development in Curriculum	67	40	26	38
11. Percent Child Rearing In Curriculum	56	40	17	31
	n=9	n=10	n=23	n=42

## SUMMARY

To summarize, I would like to make reference to Table 8 which presents the results in a comparative format. The key research questions indicate that, in Manitoba, a low (17%) percentage of school divisions have written policies on child abuse. Of those written policies, the main component is the designated reporting procedure. In only five percent of school divisions were there written policy statements that dealt with any aspect beside the reporting aspect. In both of those policy statements, the other component which was featured was the Staff Training Component.

The other important components, those of interagency cooperation on multi-disciplinary child abuse and neglect case consultation teams and the promotion of primary prevention programs as part of the curriculum did not form part of the written policy statements.

It would appear from the responses that some practices do illustrate that staff training occurs, that multi-disciplinary team involvement does include educators and that some primary prevention programs do occur. These events are basically uncoordinated, unplanned and not related to system wide goals which have these elements as a focus.

## CHAPTER IV

### CONCLUSIONS AND RECOMMENDATIONS

This chapter will serve as a summary of the thesis. It is composed of a restatement of the problem and the procedure followed, a summary of the major findings, a conclusion and several recommendations.

#### I THE PROBLEM

The purpose of this study was to determine the existence of written Child Abuse Policy Statements and unwritten operational codes on Child Abuse of School Boards in the province of Manitoba. Policies were examined to see that they:

1. Reflected reporting requirements outlined in legislation.
2. Provided inservice training to recognize symptoms of child abuse.
3. Included multi-disciplinary team involvement.
4. Promoted primary prevention strategies.

## II THE PROCEDURE

Questionnaires were distributed to all school divisions in Manitoba from January 1984 to April 1984. In those school divisions in which there was a written policy, the policy was comparatively analyzed to determine the presence of one or more elements that were identified as being relevant for inclusion into a policy statement. In those school divisions in which there was an unwritten operational procedure for dealing with child abuse, superintendents were asked to clarify the nature of the informal methods.

## III FINDINGS

The information from the survey indicated that there are very few school divisions in the province of Manitoba which have a formal written policy on Child Abuse.

Where written policies exist, they are narrow in scope in that, with two exceptions, they deal only with the reporting of suspected cases of child abuse and neglect. Such issues as staff training, multi-disciplinary team involvement and primary prevention programs are not included in such statements.

#### IV CONCLUSIONS

The conclusions will focus on six areas that are of importance to the study. They are:

1. Reporting Procedures
2. Policy Statements
3. Legal Requirements
4. Staff Training
5. Multi-disciplinary Team Involvement
6. Primary Prevention

1. Reporting Procedures

Response to the survey was obtained from 89 percent of all school divisions in Manitoba. Since the surveys were confidentially encoded before being sent out, it was possible to determine the student population of the responding school divisions. The 89 percent of school divisions which responded to the survey represented approximately 90 percent of the student population in Manitoba during the 1982-1983 school year.

It was concluded from these responses that many school divisions do not have reporting and record keeping procedures that would allow school division officials to know the exact number of cases of child abuse and neglect which were referred to child care authorities.



## 2. Policy Statements

Five school divisions in the province of Manitoba had written policy statements. Where written policies did not exist, most school divisions found it necessary to devise a less formal procedure to follow in reporting suspected cases of child abuse and neglect. It is therefore concluded that policy statements which deal with child abuse and neglect are essential for each school jurisdiction in the province of Manitoba.

## 3. Legal Requirements

It may be surmised that school division officials are aware of the existence of a statutory requirement to report suspicions of child abuse. A secondary conclusion is that, despite awareness of the reporting requirement, there was noted an uncertainty as to which procedures were to be followed in order to make the report. It was also assumed that school division officials are not familiar with sanctions which the law provided when the legal requirements are not met.

## 4. Staff Training

It is concluded that there is not much training provided to teachers in the province of Manitoba to allow them to develop the skills necessary for identifying suspected cases of child abuse

and neglect. In many cases, the choice of taking the training is left to the teacher who may choose to attend a presentation on child abuse which is offered as part of the fall Special Area Group conferences of the Manitoba Teacher's Society. There is no school division in the province of Manitoba, of the 89 percent which responded to the survey, in which a systematic, sequential training program is provided to school division personnel to train them in recognizing the signs and symptoms of child abuse and neglect.

#### 5. Multi-disciplinary Team

Few school division personnel indicated that their teachers or principals were serving on multi-disciplinary teams. A conclusion is drawn that teachers are seldom regarded as essential members of a multi-disciplinary team.

It is also concluded that school division space is not seen as an appropriate setting for multi-disciplinary team meetings, where these teams are functioning.

From comments made by some school officials, it is surmised that educators and social service personnel do not in all school jurisdiction areas enjoy a mutually consultative relationship.

## 6. Primary Prevention

It is surmised from the findings that few school divisions in the province of Manitoba have students leave the school system with training in the areas of child development and child rearing. It may also be concluded that, where students leave the school system before the senior high phase, very few of them would have been exposed to such courses as child development and child rearing.

In summary, I would like to make reference to a statistical report prepared by John Chudzik (1983), the Child Abuse Coordinator for the province of Manitoba in which he reports that in 1982, 75 percent of child abuse cases were reported by personnel from the school system. Since conclusions have been made that school personnel are aware of the law requiring reporting of suspicion of child abuse; that school personnel are willing to comply with the law but that they do not always follow the mandated procedure; that they are provided with very little training to recognize suspected child abuse and neglect; that they are not aware of sanctions which could be imposed for failing to report, a subsequent conclusion is reached.

Were there to be the present awareness of the law, following the required procedure to report suspicions, training to recognize suspected cases of child abuse, and awareness of sanctions for failure to report suspected cases of child abuse and neglect, a conclusion is

made that there would be an increase in the number of reported cases of child abuse and neglect.

## V RECOMMENDATIONS

The recommendations are presented in two sections. The first section deals with the recommendations which have implications for practice within the school divisions in Manitoba; the second section presents recommendations which have implication for research.

### RECOMMENDATIONS FOR PRACTICE

#### 1. Policies - Existence, Development and Components

It is recommended that each school jurisdiction in the province of Manitoba be required to establish a statement in policy to deal with child abuse and neglect.

These policy statements will serve the twofold purpose of making the school division personnel and the public aware of the legal mandate to report suspicions of child abuse and neglect. In doing that, there is an implicit statement of concern for the welfare of all students under the jurisdiction of the local school board. As well, such a policy statement would clearly set out the reporting procedure which would be followed by the school division

personnel in reporting suspicions of child abuse and neglect. These procedures would be designed to meet requirements as outlined in the guidelines for reporting child abuse and neglect which were developed by the Government of Manitoba in 1984.

These policy statements should be developed under the guidance of the local school board. As well, they should be developed in consultation with other agencies within the local school division area to whom school division personnel would report cases of suspected child abuse and neglect. Specifically, representatives from child protection agencies, law enforcement agencies, law and medicine should be invited to meet with school division personnel to design a comprehensive policy statement which would respond to the unique needs of the school division area.

At the same time that a policy is developed, a strategy for implementing that policy should be devised to ensure that, once the policy has been adopted by the Board of Trustees, that the elements of the policy will be communicated to school division personnel in a clear concise manner so that implementation of the policy will occur. School personnel must not only be aware of the existence of the policy statement, they must be prepared to follow the guidelines as outlined in the policy statement.

Locally developed policy statements should include some basic elements that would be held in common with all school divisions and school districts in the province.

The first element would be the statement of reporting procedure that school division personnel would follow from the point at which they are suspicious that a student is abused or neglected. This procedure, as is outlined in the Guidelines for Reporting (1984), would require the person who is suspicious of abuse or neglect to make contact with the child care agencies. There is an alternative procedure provided for in the Teacher's Protocol (1980). In this alternative procedure, one individual at a school may be designated as the contact person with the child care agency personnel. This contact person may be the school principal, vice-principal, counsellor or teacher. When a school contact person is designated in policy, it is recommended that the policy statement would stipulate that the identifying school person be given assurance in writing that the report has been communicated to the proper authorities. When such written feedback is given to the originator, some assurance is provided that the report was indeed made as it is the originator who has the ultimate responsibility for notification of child care officials upon suspicion that a child is abused or neglected.

In order that school division authorities become better informed about the number of suspected cases of child abuse and neglect that are being reported by school division personnel, it is recommended that a reporting form be devised by each school division or school district. This form should be completed in quadruplicate with copies being assigned to the reporting school personnel, to the local school jurisdiction office, to the local child care agency for the purpose of confirmation of the original telephoned or in person report. The fourth copy would be sent by the school to the Director of Child Welfare. With the existence of several written copies of a report, provision would have to be made to destroy the report and copies in the event that the suspicion of abuse or neglect was unfounded. Safeguards to protect the privacy of the child and family would have to be provided.

A system could be devised to flag the cumulative record files of children who are identified as victims of child abuse and neglect so that, in the event that these students would move from school to school, city to city and province to province, some method of monitoring and ensuring an improvement in the living conditions of these children would be found.

It is acknowledged that such a procedure may be difficult to design with adequate protection for the right of a family to privacy.

The training provided to school personnel to allow them to recognize the signs and symptoms of child abuse and neglect is of paramount importance to the ability of that individual staff member to identify suspected cases of child abuse and neglect. It is therefore recommended that staff training be a component of child abuse policy statements. Such training programs should have two stages, the first being a preservice stage which would be offered as a required course to all students who are enrolled in a teacher training institution. Successful completion of the pre-service, required university course would then be a requirement to be met before certification and employment as a teacher in Manitoba would be possible. The second stage would be to provide development for personnel who are employed by local school boards. It is proposed that the training be offered annually to all school administrators, counsellors, teachers, teacher aides, custodians, bus drivers, and clerical staff who have contact with students. A program to train facilitators to present such workshops would be necessary in order to have an adequate supply of resource people to present a child abuse workshop in each school in the province of Manitoba during the fall term.



Multi-disciplinary teams composed of health care workers, lawyers, law enforcement and social service personnel are well established in Manitoba. Their purpose is to monitor cases of child abuse and neglect and to plan strategies to help the child and his or her family to function well. In some regions in Manitoba notably in Winnipeg, educators function as members of these teams. In most other jurisdictions, this is not the case. Members of multi-disciplinary teams bring with them diverse backgrounds and varying abilities to diagnose, assess and provide treatment. Educators are familiar with such team work through their day to day work planning, evaluating and delivering programs to children. Educators also have training and expertise in child development and in identifying educational needs of children.

It is recommended that each school jurisdiction be represented on the multi-disciplinary team that exists in the school jurisdictional area. It may be advisable for each school to designate a school contact person who could serve on such a team on a rotational basis, or who could attend when a case from their particular school catchment area was being considered. Some school jurisdictions might prefer to appoint an educator in such a position as Special Educator Coordinator who already had liaison with several schools and who could therefore discuss plans and

recommendations with individual schools as required. Since "turfism" or feelings of territoriality was identified as a problem preventing close, mutually respectful, cooperation between educators and social service agencies, it is further recommended that the support for involvement of educators in multi-disciplinary teams come from the highest level of influence in the two respective Departments of Education and Community Services and Corrections in Manitoba. The support of the Ministers of Education and Community Services and Corrections would do much to open communications and to foster understanding of mutual goals among community agencies and professional groups.

Primary prevention programs encompass broad areas of involvement for school personnel. Specifically, they focus on teaching inter-personal skills, the development of self esteem and body valuation in each student and training for parenthood.

#### A. Teaching Interpersonal Skill

It is recommended that the education system in Manitoba institute a program teaching interpersonal skills. It is suggested that this program be sequential and developmental, beginning in Kindergarten and continuing to grade twelve. Basically such a

course would teach students "how to get along" with parents, siblings, teachers and peers. In the junior high grades, applied units such as babysitting could be introduced. A creative program that presents an object lesson in the methods of parenthood has been developed and used in various schools. This method uses softboiled eggs which are the symbolic babies that are assigned to pairs of students to serve as parents or to single students who would serve as single parents. The task is to keep the "babies" in sight and safe from harm 24 hours a day, seven days a week. Such an assignment has been observed to make students more sensitive to the full time work of being a parent and more willing to postpone becoming a parent.

B. The Development of Self Esteem and Body Valuation

Programs to teach self esteem and body valuation are being developed at a rapid rate in response to the demand from educators. These programs range from theatrical presentations, video cassettes featuring the actor Henry Winkler as the "Fonz", Spiderman comic books to more curricular based materials such as the "Red Flag, Green Flag" program, "Talk about Touching" and other programs that relate to the Health curriculum. These programs teach a child to trust his

or her own feelings, to identify a touch as a "good-feeling" touch or a "bad-feeling" touch. They further teach a child to say no to unwanted touches from peers or adults.

It is recommended that the Department of Education evaluate the curricular related programs to determine which is the best and that the identified programs be recommended for Manitoba Schools. It is further recommended that the Health curriculum present the use of such programs in a detailed manner and that the relationship between the unit of Safety and these programs be well described and circulated to all schools for use.

The concept of drama in dealing with a sensitive issue such as touches or personal safety is very important to children. It is therefore recommended that the live theatrical performance of "Feelings Yes, Feelings No" be presented to all students in grades Kindergarten to 6 in Manitoba schools, with funding to be provided by the Departments of Education and Community Services and Corrections.

When these programs on personal safety and body valuation are to be presented to students, it is

advised that parents first be contacted to be shown the contents of the program and to discuss the impact that the program might have on students.

### C. Training for Parenthood

Most parents acquire the techniques of being a parent "on the job". While it is acknowledged that such training often produces excellent results, it is imperative to develop a preventative program relative to the W.A.R. Cycle (World of Abnormal Rearing) and its victims.

It is recommended that a program be designed by the Manitoba Department of Education to teach child development and child rearing and that this program be instituted in the course of studies for all students in grades seven, eight and nine. It is further recommended that this course be offered as a component of the health curriculum to ensure that the program is offered as a required course to male and female students in each of the three grade levels.

## 2. Other Recommendations for Practice

A final recommendation for practice is, in effect, a

recommendation to discontinue a practice. This practice, known as corporal punishment, is reported by most school authorities as not being used widely and as serving only in the capacity of warning device should normal procedures to control student behaviour fail.

It is recommended that use of corporal punishment, or the threat thereof, be banned from Manitoba schools. The continued existence of the strap or other forms of physical punishment serve to reinforce the concept that violence is justifiable if behaviour can be controlled or manipulated through its use.

There is a paradox in discouraging parental use of corporal punishment while permitting educator use of it.

It is recommended that the Manitoba Teacher's Society provide assistance in the form of professional development seminars on alternative methods of discipline, classroom management and school management to educators to provide answers to questions that will be posed by teachers and principals on managing behaviour.

At worst, corporal punishment may be an illegal act in that it may deny a basic freedom guaranteed in the Canadian Charter of Rights and Freedoms (1981). Section 12

states: "Everyone has the right not to be subjected to any cruel and unusual treatment or punishment."

At best, corporal punishment is amoral as it gives legitimacy to the concept of "might makes right".

### 3. Revenue for Preventive Programs

The necessary funding to establish comprehensive preventive programs could be obtained through a special levy applied to every marriage license. If the fee for a marriage licence were to be doubled and if the revenue thereby realized were to be applied to preventive programs, some assistance could be given by the parents of the future to the parents of the present.

## RECOMMENDATIONS FOR RESEARCH

The results of this study indicate that there are areas which would benefit from further study.

1. If child abuse policies are established and implemented in all school jurisdictions in Manitoba, it is suggested that a replication of this study be undertaken with all school divisions and school districts being surveyed in Manitoba.

2. It is suggested that in each Manitoba School Division and school district, a school principal and teacher be surveyed to establish that their concept of the child abuse policy is the same as that of the school division or school district superintendent.
3. If child abuse policies are established and implemented in all school jurisdictions in Manitoba, it is recommended that a survey of the child abuse statistics for Manitoba be undertaken to determine if there is a change in the percentage of cases reported by school personnel.
4. In order to become more familiar with the Canadian context in issues of child abuse, it is recommended that a similar study be undertaken in each Canadian province and territory.
5. A study is suggested of model child abuse policies to determine the advisability of such a prototype policy for implementation in school jurisdictions in the Canadian context.
6. Within Canada, there are several school jurisdictions which deal very effectively with issues of child abuse. It is recommended that a survey be undertaken to determine the location of these school jurisdictions which are in the forefront so that their expertise might be shared by other school jurisdictions which are in a different stage of development.



7. The literature makes reference to the correlation between learning effectiveness and child abuse. It is suggested that further study be undertaken to establish whether learning effectiveness increases when child abuse problems are identified and when some assistance is given to the child and his or her family.
8. There are several school jurisdictions which have banned use of corporal punishment in schools. It is recommended that a study be undertaken of school behaviour management practices in these areas, such as in the province of British Columbia where corporal punishment procedures were prohibited in the 1970's.
9. There are school jurisdictions in which new directions for schools have been undertaken with regard to student behaviour management strategies. Most notably, the Individual Education movement in which student behaviour is managed through use of logical and natural consequences. It is recommended that these techniques be studied at schools in Canada as well as in the United States of America.
10. Since the public school system is being asked to assume a greater degree of involvement in social issues as they pertain to students, parents who do not agree with these issues being included in the curriculum are considering the private school option. It is recommended that a study be undertaken to

determine the possible effects on students of having their parents create a particular environment through choosing a private school option.

11. Since issues of child abuse do not ever impact uniquely on educators, it is suggested that an assessment be made of the linkages between all organizations involved in child abuse.
12. With the current proliferation of Personal Safety Programs materials, it is recommended that these programs be evaluated to assess the content of the program, to assess the suitability of the program for children as well as to recommend the age suitability. The study should also establish a pilot program for Personal Safety Programs that are recommended for use in Manitoba Schools and that the pilot program be monitored very thoroughly with the results being disseminated to school personnel.

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## APPENDIX A

220 Riverside Drive,  
Thompson, Manitoba.  
R8N 0X2

84 01 23

Dear Superintendent:

In the past several years, the phenomenon of child abuse and neglect has been one that teachers and administrators have been aware of. In some school divisions, policies have been established to address the needs of abused children. I am a principal of an elementary school in Thompson, Manitoba and I am combining a concern for abused children with an interest in doing research in Manitoba.

The nature of my research is to see what such policies might consist of. In this endeavour, I would appreciate about fifteen minutes of your time.

Enclosed you will find a questionnaire entitled "Survey of Child Abuse Policies". Please complete it or forward it to the appropriate person in charge of pupil services in your division. For your convenience I have enclosed a return envelope addressed to me with postage paid.

Your response is very important as the Sample I am using - that of all school divisions of Manitoba - is not great in number.

I would hope that the results might be of some use to such groups as the Manitoba Teacher's Society, the Manitoba Association of Principals, The Manitoba Association of School Superintendents, The Manitoba Association of School Trustees and The Department of Education.

For your anticipated assistance, I sincerely thank you.

Yours truly,

Barbara J. Claridge  
Principal, Riverside School  
Enclosure

220 Riverside Drive,  
Thompson, Manitoba.  
R8N 0X2

84 02 24

Dear Superintendent:

One month ago I mailed you a questionnaire entitled "Survey of Child Abuse Policies in Manitoba School Divisions" as part of the research I am doing to determine policies related to child abuse in school divisions in Manitoba. I have received a response from more than 50% of the school divisions in the province so far. Do I have your response?

The accuracy of my findings would be enhanced if information from your division were included in the research. I am therefore sending you this letter as a reminder. If you have recently forwarded your response, I would like to thank you. If you have not done so yet I would appreciate it if you would respond at your earliest convenience.

It is not my intention to point out the policies or procedures of particular individual school divisions in my study, but only to reflect the provincial state of affairs. Thank you for your consideration.

Yours truly,

Barbara J. Claridge  
Principal, Riverside School

220 Riverside Drive,  
Thompson, Manitoba.  
R8N 0X2

84 04 02

Dear Superintendent:

To date I have received a response from 78% of the superintendents of school divisions in Manitoba to my questionnaire entitled "Survey of Child Abuse Policies in Manitoba School Divisions".

If I have received your response, may I thank you for taking the fifteen minutes necessary to let me know of your school division's policies and procedures on child abuse.

I realize that this is a very busy time of year for a superintendent. However, your response to the enclosed questionnaire is most important to allow my study to reflect the provincial state of affairs.

As the population of all school divisions in Manitoba is not great in number, my goal has been for a 100% response.

If you have not done so yet, I would appreciate it if you would respond at your earliest convenience.

Sincerely,

Barbara J. Claridge  
Principal, Riverside School

Enclosures

1. Questionnaire
2. Stamped, addressed envelope

## APPENDIX B

SURVEY ON CHILD ABUSE POLICIES IN MANITOBA SCHOOL DIVISIONS

1. How many cases of child abuse or neglect were reported to yourself and/or to personnel in your school division in the 1982-1983 school year?

Grades K-3	_____	cases
Grades 4-6	_____	cases
Grades 7-9	_____	cases
Grades 10-12	_____	cases
TOTAL	_____	cases

2. Does your school division have a written policy that gives direction to school division personnel on dealing with suspected cases of child abuse and neglect?

\_\_\_\_\_ yes

\_\_\_\_\_ no

If the answer to #2 is yes, would you please enclose a copy of your policy with this questionnaire.

If the answer to #2 is yes, please proceed to question #5.



3. Does your school division have an unwritten procedure that is followed when suspected cases of child abuse and neglect are noted?

\_\_\_\_\_ yes

\_\_\_\_\_ no

If yes, please describe the procedure that would be followed.

4. If the answers to questions #2 and #3 are no, please describe what a member of your staff would do in the event of suspecting a case of child abuse and neglect.

5. Does the policy or procedure that is followed in your school division specify that teachers and principals must report suspected cases of child abuse and neglect?

\_\_\_\_\_ yes

\_\_\_\_\_ no

If the answers to #5 or #3 are yes, to whom does the policy advise such cases to be reported?

6. Are you aware of any penalty assigned or reprimand issued to any personnel in your school division who suspected child abuse and neglect, but failed to report such suspicions?

\_\_\_\_\_ yes

\_\_\_\_\_ no

If yes, please describe.

7. Are staff members in your school division provided with training programs to help them recognize the symptoms of child abuse and neglect?

\_\_\_\_\_ yes

\_\_\_\_\_ no

- 10.2 Would these meetings ever take place in school division buildings?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

11. Does your school division have a program in the school curriculum designed to train students in:

11.1) Child Development

Offered to male students in grade(s) \_\_\_\_\_

Offered to female students in grade(s) \_\_\_\_\_

Course duration \_\_\_\_\_

No Program \_\_\_\_\_

11.2) Child Rearing

Offered to male students in grade(s) \_\_\_\_\_

Offered to female students in grade(s) \_\_\_\_\_

Course duration \_\_\_\_\_

No Program \_\_\_\_\_

Please indicate the size of your school division using the following descriptive categories:

\_\_\_\_\_ Stratum One

(enrollment exceeds 5500 students)

\_\_\_\_\_ Stratum Two

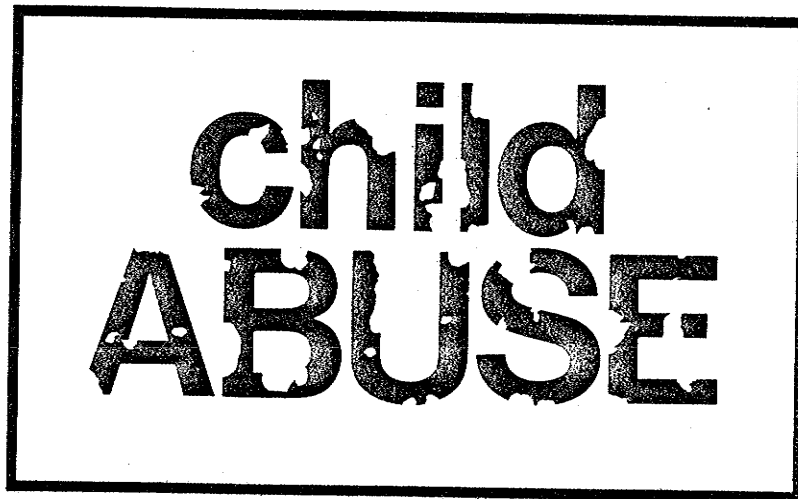
(enrollment is 2000 to 5500 students)

\_\_\_\_\_ Stratum Three

(enrollment is less than 2000 students)

Thank you for taking the time to complete this survey. Would you please return the questionnaire and/or copy of your policy to me at your earliest convenience?

## APPENDIX C



TEACHERS'  
PROTOCOL

# **child ABUSE**

## **TEACHERS' PROTOCOL**

prepared by:

The Manitoba Teachers' Society  
in cooperation with:

The Manitoba Association of School Trustees  
The Manitoba Association of School Superintendents  
The Department of Education  
The Department of Community Services and Corrections

printed by:

Department of Community Services and Corrections  
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Manitoba

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## FOREWORD

In early 1979, because of increased societal and teacher concern over child abuse, The Manitoba Teachers' Society, through its Ideals and Practice Committee, began developing guidelines for teachers to follow in cases of suspected child abuse among school age children. The work of the Society in this area became even more timely and essential when revisions to The Child Welfare Act came into effect September 1, 1979. These provisions, particularly Sections 36(1) and 36(3), obligate any person or professional, which includes a teacher, to report forthwith any abuse or suspected abuse of a child.

The classroom teacher, who sees a child on a regular basis, is often in the best position in the school to identify abused children. This Protocol is intended for use by teachers to aid them in understanding child abuse, their professional and legal obligations to abused children, procedures which they should follow when they suspect child abuse, and the steps taken by other responsible agencies on being made aware of a problem. It should help teachers to better discharge their responsibilities and to receive assurance that the welfare of their students is being advanced by other professionals beyond the school system.

The Society is grateful for the support and assistance received from the Manitoba Department of Community Services and Corrections, the Manitoba Association of School Trustees and the Department of Education in developing and publishing this Protocol.

## CHILDREN IN NEED OF PROTECTION

The words "child abuse" and "child neglect" are frequently used to signify a child who is in need of protection and consequently in need of community intervention on his behalf. The community has a legal, moral and ethical responsibility to assume an active role in response to child abuse and neglect. Most communities nowadays have the child abuse and neglect situations clearly defined and they have also a protective system in place. Manitoba's Child Welfare Act describes children in need of protection, provides for a comprehensive process of intervention and makes reporting of child abuse and neglect mandatory.

According to Section 16 of The Child Welfare Act a child in need of protection means

- (a) a child who is an orphan or who has been abandoned or deserted by his parents and
  - (i) who is not being properly cared for by anyone, or
  - (ii) who with the consent of the person in whose charge he is, is brought before a judge to be dealt with under the Act;
- (b) a child where the parent or person in whose charge he is cannot, by a reason of disease, infirmity, misfortune, incompetence, imprisonment, or any combination thereof, care properly for him;
- (c) a child whose life, physical or mental health, or morals may be endangered by the conduct of the person in whose charge he is;
- (d) a child who is beyond the control of his parents or person in whose charge he is;
- (e) a child whose behaviour, condition, environment or association is injurious to himself or others;
- (f) a child who refuses or is unable to provide properly and adequately for the health and welfare needs of herself or her child;
- (g) a child born to parents not married to each other whose mother is unable or unwilling to care for him;
- (h) a child where the parent or person in whose charge he is neglects or refuses to provide or obtain proper medical, surgical, or other remedial care or treatment necessary for health and well-being of the child, or refuses to permit such care or treatment to be supplied to the child when it is recommended by a duly qualified medical practitioner;
- (i) a child whose emotional or mental development is endangered because of emotional rejection or deprivation of affection by the person in whose charge the child is;
- (j) a child under the age of 12 years is left unattended for an unreasonable length of time without making reasonable provision for the supervision and safety of the child; or

(k) a child subjected to abuse.

The subsection 36(1) of the Act states that any person who has information respecting a child in need or apparent need for protection shall forthwith report the information to the Director of Child Welfare or to a child caring agency. The child caring agency in Manitoba means a Children's Aid Society or a regional office of the Department of Community Services and Corrections (see Appendix "A").

Child abuse and neglect is a complex problem which requires a community-wide approach and a network of services. This protocol is devoted to the abuse aspects of that problem. However, the guidelines contained here apply equally to the neglect situations and may be used interchangeably.

## **CHILD ABUSE — WHAT IS IT?**

The Child Welfare Act defines child abuse in clause 1(a) as follows:

"abuse" means acts of commission or omission on the part of the parent or the person in whose charge a child is which results in injury to the child but is not necessarily restricted to physical beating, physical assault, sexual abuse and failure to provide reasonable protection for the child from physical harm;

There are a variety of manifestations and causes of child abuse. The generally accepted causes of abuse include severe emotional pressures or psychopathologies, a family heritage of violence and the environmental stresses and burdens. Usually child abuse occurs when there is an interplay of several negative forces affecting the family. These forces could be: 1) personal factors (health, intelligence, personality, previous life experience, etc.), 2) attitudes and values (variety of cultural forces), 3) specific life situations (marital discord, employment, housing condition, financial security, etc.), 4) general community welfare (influence on the family of community institutions such as police, schools, churches, radio and T.V., and availability of the service agencies).

Teachers have the same degree of protection and accountability as parents with regard to the use of physical punishment. If it is within reasonable limits under the circumstances, the teacher is within his(her) rights (although this may not be within some school division policies.) If the punishment exceeds reasonable limits under the circumstances, he or she is subject to the same action as parents would be, and the school administration would be required to report the incident to the child welfare authority.

## **INCIDENCE AND EFFECTS OF ABUSE**

No one is absolutely sure how widespread child abuse is because it is probable that many incidents remain unreported. Reported incidents have increased, in Manitoba, from 81 in 1972 to 188 in 1978, and 215 in 1979. While this increase may be attributed partially to better records and increased awareness, child abuse remains a serious social problem.

The National Center on Child Abuse and Neglect estimates that in the U.S.A. approximately one million children are maltreated each year. Of these children, 100,000 to 200,000 are physically abused; 60,000 to 100,000 are sexually abused; and the remainder are neglected. Each year more than 2,000 children die in circumstances suggestive of abuse or neglect.

Child abuse can result in permanent and serious damage to the physical, emotional and mental development of the child. The physical effects may include damage to the brain, vital organs, eyes, ears, arms and legs, resulting in mental retardation, blindness, deafness, and in arrested overall development. The emotional damage may manifest itself in impairment of self-concept, ego competency, reality testing, defensive functioning and thought process. Often abused children have a higher level of aggression, anxiety, low impulse control, and tend to be self-destructive and anti-social. Their cognitive development may also be restricted. Their language, perceptual, and motor skills are often underdeveloped, creating barriers for such children's chances to succeed.

## **TYPICAL SIGNS OF CHILD ABUSE**

Child abuse is not always easy to recognize. As a result, a teacher's judgment is called into play when he/she suspects abuse. The following are general but typical signs, and do not encompass every situation. Any one of these signs, a combination of these signs, or a pattern of these signs may or may not indicate child abuse:

- Suspicious welts, burns, scars, fractures, bruises, or other physical injuries.
- Frequent injuries and contusions with varying explanations from the child.
- Regressive behaviour, thumbsucking, loss of bladder control, temper tantrums over minor matters.
- Refusal to change into proper dress attire for Physical Education.
- Inadequate dress, dirty or torn clothing or unpleasant odor.
- Failure of a family to provide immunization or care for injuries.
- Failure of a family to provide glasses or dental work when finances appear adequate.

- Chronically tired and lethargic children.
- Inadequate nourishment and failure to thrive in comparison to peers.
- Children who are overly or consistently hyperactive, destructive, or aggressive; or, in contrast, passively or overly compliant.
- Children who express suicidal thoughts.
- Negative self-concepts, learning and communication problems.
- Late arrival at school or absences without valid excuses.
- Children who are reluctant to leave school but are not attached to relationships or activities.
- Inadequate interpersonal relationships with both peers and adults.
- Children who are fearful and cling to a teacher for emotional support.
- Excessive daydreaming, self-absorption, or inattentiveness.
- Children who display little emotion or pain.

In other words, any sign, which in the judgment of the teacher indicates that the child may be subjected to abuse should be given serious consideration.

### **TYPICAL REACTIONS OF ABUSING PARENT(S) OR GUARDIAN(S)**

Parents and guardians may give the teacher cause to suspect child abuse. The following are some of the typical reactions and attitudes of parents or guardians who are child abusers. Again, the following are typical and general — any of these may or may not indicate child abuse but may confirm suspicions.

- Do not volunteer information about the child's illness or injury.
- Are evasive or contradict themselves regarding the circumstances under which the child's condition occurred.
- Show irritation at being asked about the development of the child's symptoms.
- Critical of the child and angry with him/her for being injured.
- Give no indication of feeling guilt or remorse regarding the child's condition.
- Maintain that the child had injured himself/herself.
- Show concern, not about the child, but about what will happen to themselves and others involved in the child's injury or illness.
- Seldom touch the child or look at the child.
- Give no indication of having any perception of how a child could feel, physically or emotionally. Seem to be indifferent.
- Constantly criticize the child.
- **Never mention any good quality in the child.**
- Show no concept of the rights of others.

- Are preoccupied with themselves and the concrete things in life.
- Are often neglectful of their own physical health.
- Exhibit violent feelings and behaviour, and in interviewing, reveal that this was a pattern in their original family.
- Reveal, in interviewing, their concern about having been abandoned and punished by their own parents.
- Show overwhelming feelings that they and their children are worthless.
- Feign cooperation which is not substantiated by an observed behavioural change.

## **ROLE OF THE SCHOOL SYSTEM**

Though the primary responsibility for reporting child abuse rests with the teacher, the school system can, through its various constituents, provide much needed support to the teacher. A major effort must be made to raise the awareness and knowledge of teachers about the incidence and identification of child abuse, about their responsibility to report all suspected cases and about the community and provincial resources available to help children.

Schools can perform an important role in educating future parents about conditions leading to child abuse. The emphasis in family-life courses should be on parenting models, parent-child relationships, nutrition, child development, discipline, and emotional and psychological demands of parenthood. Our schools must ensure non-hostile, warm and caring environments for children who are abused in order that these children can come to expect logical, predictable consequences of their actions. School personnel must gain skills in responding to parents who abuse their children to ensure that as a result of their actions no further abuse is accorded to the child.

It is essential that school and school division administrators give support to teachers in carrying out their responsibilities — without their moral and technical support the teacher's job becomes more difficult. School Boards can provide resources for inservice programs and resource personnel to aid teachers in meeting their responsibilities; and can initiate discussions leading to supportive policy decisions. The Provincial organizations — The Manitoba Teachers' Society, the Manitoba Association of School Superintendents, the Manitoba Association of School Trustees, and the Department of Education are willing to make their resources available where necessary.

## ROLE OF THE TEACHER

It is the role of the teacher to recognize the vulnerability of school-age children to abuse, to be alert to any physical signs of abuse and any signs of undue emotional or psychological neglect. It is the duty of the teacher according to Section 36(3) of The Child Welfare Act to report suspected abuse to the Director of Child Welfare or a child caring agency:

- "Notwithstanding the provisions of any other Act, every person who in the course of his professional or official duties, has reason to suspect that a child has suffered or is suffering from abuse that may have been caused or permitted by a person who has or had charge of the child, shall forthwith report the suspected abuse to the director or a child caring agency."

## GUIDELINES FOR ACTION

### 1. Team Approach

When child abuse is suspected, the teacher should inform and involve, as soon as possible, the principal, the nurse and counsellor where they exist, of his/her suspicions. In the event of follow-up by the child caring agency one of these should become the school contact with the agency. However, the person who suspects child abuse is ultimately responsible to do the reporting. The report should be made to the child caring agency in your area — a list is provided in Appendix 'A'.

One member of the team may be designated as school contact to report, as an agent of the teacher whose suspicions were initially aroused, to the child caring agency on the teacher's behalf. However, the teacher remains responsible under the law for the action of his/her agent, and is primarily responsible if that agent does not report and the child suffers further injury as a result of failure to report. Thus the teacher should receive oral or written notification that the information has been reported; if not, and the teacher remains convinced of his/her suspicions, he/she must report directly to the child caring agency.

The Child Welfare Act provides legal protection to any person who reports in good faith the information about child abuse to a child caring agency. The Act states in subsection 36(4) as follows:

"Subsections (1), (2) and (3) apply notwithstanding that the information is confidential or privileged; and no action lies against a person who reports information to the director or a child caring agency in accordance with this section unless the reporting of the information was done maliciously or without reasonable or probable cause."

## **2. Time is of the Essence**

It is essential that the reporting to the child caring agency take place on the same day as the teacher suspects child abuse. If it is impossible to consult with others on the same day, the teacher should report his/her suspicions that day and discuss the matter with team members later.

## **3. Procedures Respecting Discovery of Abuse**

Personal interviews or physical inspection should be conducted in a professional manner. Physical inspections need not go beyond ordinary observation of the child in the school or classroom setting. Teachers are not obliged to prove that abuse has taken place, but only to report observations to the child caring agency. Therefore, they need not conduct any investigation nor contact the parents to ascertain the cause of the child's condition.

## **4. Confidentiality/Anonymity**

If using the team approach, strictest confidentiality should be maintained. Teachers and team members must be discrete in revealing suspicions to persons other than the child caring agency and other team members so as to protect not only themselves, but also the rights of the child and the suspected abuser. Strictest confidentiality should also be maintained so as to avoid prejudicing or jeopardizing the teacher-pupil-parent relationships.

The child caring agencies in Manitoba are obliged to investigate each and every report of the alleged child abuse even if it comes from a person who chooses to remain anonymous. Whereas private citizens may elect to identify themselves or remain anonymous when reporting child abuse, it is suggested by the Department of Community Services and Corrections that the teachers or any school official identify themselves and their school when doing the same. They believe it is imperative that public institutions such as schools give fullest support to the child caring agencies which are mandated by law to protect children.

## **5. School/School Board Policy**

The teacher may, under school or school board policy, be required to report to the principal, counsellor, nurse, clinician and/or the superintendent. Written reporting procedures may be required, keeping the protection of confidentiality in mind, to provide accurate descriptions of the basis of suspicion for future reference.



#### **6. Follow-up Procedures/Further School Responsibility**

Follow-up procedures may be desirable, depending on the degree of involvement of school personnel in each particular situation, with the child caring agency. It is desirable that further contact with the child caring agency be done by a designated school contact (see No. 1). It should be noted, that once the reporting to the child caring agency has taken place, the case is out of the school's jurisdiction.

However, the school has, if the child remains in school, a special responsibility. Children known to be abused have special physical, social and emotional needs and should be given additional attention by teachers to reassure them that someone cares about them. The school team or teacher should, upon consultation with the child caring agency decide how the best environment can be achieved for the abused child and what actions would most benefit the child.

#### **7. Dealing with Parent(s)/Guardian(s) After Reporting**

If follow-up with the home results from a teacher's reporting to a child caring agency, teachers might anticipate parental/guardian suspicion of the school. Teachers are protected under subsection 4 earlier referred to and should not volunteer information, should not play the role of therapeutic agent for the home, and should refer the parent to the child caring agency if questioned.

### **WHAT HAPPENS AFTER A REPORT OF CHILD ABUSE**

Although the case is outside the jurisdiction of the school, teachers may wish to know the steps taken by the child caring agency in proceeding with each case:

1. The child caring agency will check out the report in strict confidence and institute required action under The Child Welfare Act;
2. Depending on each case, the child caring agency may:
  - a) apprehend the child;
  - b) leave the child with parent(s)/guardian(s) under voluntarily-agreed-upon conditions;
  - c) apply to the court for temporary or permanent guardianship of the child;
  - d) engage parent(s)/guardian(s) in treating their personal difficulties so as to improve the child-rearing conditions of the family;
  - e) alert law enforcement agencies as to the criminal aspects of the case where warranted (i.e. a clear case of child abuse).
3. The child caring agency should provide, through the school contact, follow-up to the school, which in turn, should keep the teachers involved informed.

## APPENDICES

Included for teachers' information are two appendices:

APPENDIX "A" — Listing of Child Caring Agencies

APPENDIX "B" — Guidelines in Cases of Child Abuse, Manitoba  
1976 (for information)

### APPENDIX "A"

Children's Aid Societies, and Regional Offices of the Manitoba  
Department of Community Services and Corrections — providing  
child protection services

#### Children's Aid Societies

C.A.S. of Winnipeg	4 — 114 Garry Street, Winnipeg. R3C 1G3	942-0511
Jewish Child and Family Service	304 — 956 Main Street, Winnipeg. R2W 3P4	589-6343
C.A.S. of Eastern Manitoba	123-B Marion Street, Winnipeg. R2H 0T3	233-8931
C.A.S. of Central Manitoba	25 — 3rd Street S.E. Portage la Prairie. R1N 1N1	857-8751
C.A.S. of Western Manitoba	340 — 9th Street, Brandon. R7A 6C2	728-7000

#### Regional and District Offices

Parklands Region	15 — 1st Avenue S.W., Dauphin. R7N 1R9	638-7024
District Office	201 — 4th Avenue S., Swan River. R0L 1Z0	734-3436
Norman Region	Box 2550, Government Office Building, The Pas. R9A 1M4	623-6411
District Office	50 Church St. Flin Flon. R8A 1N4	687-3457
Thompson Region	871 Thompson Drive South, Thompson. R8N 0C8	778-7371
District Office	Churchill Health Centre, Churchill. R0B 0E0	675-8881
District Office	Box 99, L.G.D. Building, Gillam. R0B 0L0	652-2121
Eastman Region	Provincial Building, 20 — 1st Street, Beausejour. R0E 0C0	268-1411

Interlake Region	202-446 Main St. Selkirk R1A 1N7	482-4511
District Office	Thorwill Building, Ashern. R0C 0E9	768-2585
Winnipeg Region serving Charleswood and Assiniboia	1981 Portage Avenue, Winnipeg. R3J 0J8	885-4480

## **APPENDIX "B" (FOR INFORMATION ONLY)**

### **GUIDELINES IN CASES OF CHILD ABUSE**

The problem of battered babies and abuse of children generally has very far-reaching and serious consequences for society as a whole. In order to prevent the spreading of this "disease", the cooperation of all child caring agencies, law enforcement agencies, medical personnel and other concerned persons is necessary. Therefore, the Honourable Minister of the Department of Health and Social Development\* and the Honourable Attorney-General, having given fullest consideration to all the aspects of child abuse in our Province and to existing law in that respect in Manitoba, have agreed to the following procedural guidelines in order to bring about the required cooperation of all agencies under their respective jurisdictions.

For the purposes of these guidelines, "child abuse" means the non-accidental use of physical force by a parent or a person in charge of a child which results in injury or death to a child.

### **GUIDELINES**

1. Any case of suspected child abuse must be reported to the local regional office of the Department of Health and Social Development,\* the Children's Aid Society having jurisdiction in the area, or to the local police department.
2. Where the report is received by a child caring agency (regional office of the Department of Health and Social Development\* or the Children's Aid Society), the agency will immediately consult with the local police department. Similarly, where the report is received by the local police department, the police will immediately consult with the appropriate child caring agency. Investigation into a complaint of child abuse will be conducted by the child caring agency and/or the local police department in the spirit of mutual cooperation towards protecting the child and the best interests of the community. Following due consultation, the involvement of the local police department in the investigation of any case of suspected child abuse will vary from case to case depending upon the circumstances of the particular case.

3. In order to ensure that the best course of action is adopted in every case, there shall be a mutual sharing of confidential information respecting all facts uncovered in any investigation of child abuse between the child caring agency and the local police department.
4. Responsibility for the protection of the child shall be with the child caring agency and the agency will undertake appropriate action to protect any abused child as is provided by The Child Welfare Act, and will report each incident of alleged child abuse to the Registry for Physically Abused Children attached to the office of the Director of Child Welfare.
5. No criminal prosecution will be commenced without consultation among the local police department, the child caring agency and medical personnel, and only following approval by a Crown Attorney.
6. Should a Crown Attorney instruct a criminal charge more serious than assault causing bodily harm, e.g. murder, rape, manslaughter, wounding with intent, an Information will be laid in the appropriate Provincial Judges Court. Prosecution will follow the normal course.
7. Where the circumstances are such that the abusing parent might be subject to a charge of assault causing bodily harm or some less serious offence, there shall be consultation among the local police department, the child caring agency and medical personnel and the office of the Crown Attorney to determine whether criminal charges should be laid or whether the matter can be appropriately dealt with by counselling of the alleged offender. Any prosecution would be initiated in the Family Court.
8. Where an alleged abuse is brought to the attention of the authorities on a second occasion, and there is a sound basis for laying a criminal charge, unless special mitigating circumstances are present, a charge will be laid.

In the Winnipeg area cooperation in child abuse cases between the child welfare authorities, the Children's Hospital and the law enforcement agencies has been established for some time. Social workers, doctors and representatives of police together review cases of child abuse and in joint consultation work out appropriate plans of action. It is the expressed hope of the two departments that this multidisciplinary team approach be expanded to the benefit of children in all parts of the province.

DATED at Winnipeg, in Manitoba, this 15th day of September, A.D. 1976.

Minister of Health and  
Social Development

Attorney-General

*\*Presently called the Department of Community Services and Corrections.*



## APPENDIX D

# Manitoba Guidelines on Identifying and Reporting Child Abuse

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Child abuse is a grave, growing and often self-perpetuating problem, which knows no social barriers. Violence in the family is often physically and always emotionally devastating, not only to the child but to the entire family.

Its identification, treatment and prevention require the close collaboration of child caring agencies, law enforcement units, health care workers, educators, and all whose concerns, whether professional or non-professional, touch upon and affect the lives of children.

Expressing a strong commitment to assisting in the provision of a speedy, effective and broad range of services to children and families at risk, the Ministers of Community Services, Health, Education and the Attorney General jointly issue these Guidelines on Child Abuse. Their purpose is to provide a procedural and legal framework for the investigation, detection and management of child abuse cases to the growing community of professionals and lay persons providing services to children and their families.

## Definitions:

The following definitions apply for the purpose of these guidelines, which are primarily intended for child abuse within the family:

1. "Abuse" means an act or omission by the parent or person in charge of the child, which act or omission results in harm to the child. It includes, but is not necessarily restricted to: physical beating, sexual abuse, and failure to provide reasonable protection for the child from physical harm.
2. "Sexual abuse" means any exploitation of a child whether consensual or not for the sexual gratification of a parent or person in charge of a child and includes, but is not necessarily restricted to: sexual molestation, sexual assault, and the exploitation of the child for purposes of pornography or prostitution.

Sexual abuse includes "incest". Incest is a crime under the Criminal Code of Canada. Therefore the involvement and participation of the local police force is essential in all incest investigations.

Sexual activity between children may constitute sexual abuse if the differences in ages between the chil-

dren is so significant that the older is clearly taking sexual advantage of the younger.

3. "Emotional abuse" means acts or omissions on the part of the parent or the person in charge of a child, which acts or omissions include but are not restricted to:
  - (a) any unwillingness or inability to provide appropriate care, control, affection or stimulation for a child;
  - (b) making inappropriate demands upon a child;
  - (c) exposing a child to frequent family violence tending to produce permanent or long-term emotional disability, including:
    - i. non-organic failure to thrive;
    - ii. developmental retardation;
    - iii. serious anxiety, depression or withdrawal;
    - iv. serious behavioural disturbances.

Emotional abuse remains a major concern but does not require police intervention. Nevertheless, a multi-disciplinary team approach may be essential in certain emotional abuse cases.

4. "A person in charge of a child" means a person responsible for a child's welfare and includes a guardian or person within the context of a family relationship or foster parent.
5. "Third party assault" means abuse which occurs outside the family and technically does not fall within the guidelines but, nevertheless, is subject to:
  - (a) police investigation,
  - (b) referral to an appropriate agency for service, and
  - (c) reporting of the incident to the central abuse registry.
6. "Child" means a person under the age of majority. (In Manitoba the age of majority is eighteen).
7. "Child caring agency" means:
  - i. a children's aid society, or
  - ii. a regional office of the Department of Community Services, or
  - iii. a child welfare committee appointed under Section 7 of the Child Welfare Act.



"Medical child abuse unit" means professionals within a hospital setting who are specifically responsible for handling suspected or alleged child abuse cases.

It is expected that the management of child abuse cases within a hospital setting will be from an interdisciplinary perspective and that a hospital child abuse team will therefore be a member of the regional or community team/committee which includes the local child caring agency, law enforcement and medical/health personnel.

### Guidelines

Any person suspecting child abuse shall report it immediately to a child caring agency, the police or a medical child abuse unit.

- (a) Where a report of suspected or alleged child abuse is received by a child caring agency, the agency will consult immediately with the local police force;
- (b) Where a report of suspected or alleged child abuse is received by the local police force, the police will consult immediately with the appropriate child caring agency;
- (c) Where a report of suspected or alleged child abuse is received by a hospital or other medical health centre with a recognized medical child abuse unit, the hospital/centre will report the incident to the appropriate child caring agency and local police force immediately; and
- (d) Where a report of suspected or alleged child abuse is received by a hospital or medical health centre without a recognized medical child abuse unit, the hospital/centre will immediately report the incident to the appropriate child caring agency, the local police force or the nearest recognized medical child abuse centre.

To ensure that the best course of action is taken in every case, there shall be a mutual sharing of all relevant information by the agencies and professionals involved in the investigation and treatment process.

The protection of the child is the responsibility of all persons involved. The child caring agency, however, has the mandate to protect the child as provided for in the Child Welfare Act (Manitoba), with guidance from the professional team members where a recognized medical child abuse unit exists.

Every child caring agency which receives information about the suspected or alleged abuse of a child, including a child in the care of the agency, shall report the information to the Director of Child and Family Services, as required by the Child Welfare Act (Manitoba) in the manner and form set out in the regulations.

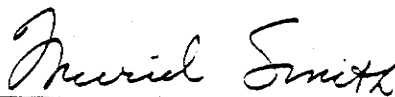
Notwithstanding the mandatory requirement for a child caring agency to report, any other professional may and should report a child abuse incident in the same manner and form to the Director of Child and Family Services.

6. The office of the Director of Child and Family Services shall issue statistical and descriptive data, as extracted from agency reports of suspected or alleged child abuse. A regular review of all abused children reported to the Director shall be required in the manner and form set out by the Director, to ensure the sound disposition of each case, the continuity of service and ultimately the safety of all abused children or children at risk anywhere in the Province.
7. Each child caring agency should inform the reporter of suspected or alleged abuse of action taken on the report at the earliest appropriate time.
8. In all cases of physical and sexual abuse the Crown Attorney shall determine the appropriateness of laying any charges upon completion of the preliminary investigation by the child abuse team.

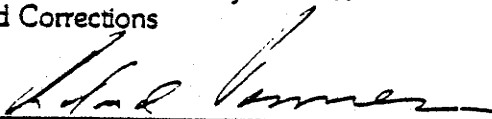
In circumstances where the seriousness and urgency of the case dictates, charges will be laid without prior consultation. It is expected, however, that subsequently there will be ongoing consultation from the initial reporting to the final disposition.

It is our hope that this multidisciplinary team approach will ensure that the needs of abused children are met, that their rights are protected and that, wherever possible, families can be kept together with the continued support of all involved.

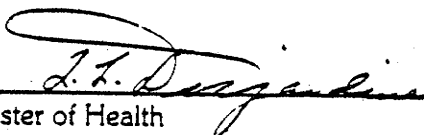
DATED at the City of Winnipeg, in the Province of Manitoba, this 13th day of April, 1984.



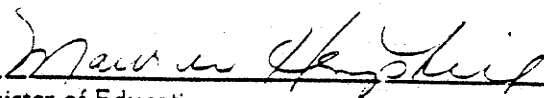
Minister of Community Services  
and Corrections



Attorney-General



Minister of Health



Minister of Education



## APPENDIX E

A MODEL SCHOOL DIVISION POLICY ON CHILD ABUSE

Manitoba Education

Introductory Note:

The policy statement which follows is a sample only. School divisions are encouraged to develop their own statements, perhaps using this one as a "discussion paper."

It is recommended that the process of review and discussion aimed at producing such a local policy statement include, besides divisional staff, representatives of the local child caring agency and police. Other representation could include public health nurse, school psychologist, coordinator of school counselling service, and parents.

Manitoba Education would be pleased to provide further information or assistance to school divisions. Please contact:

Mr. Dennis Lucas  
Curriculum Consultant -  
Guidance & Counselling  
409 - 1181 Portage Avenue  
Winnipeg, Manitoba  
R3G 0T3

Phone: 945-7964

In accordance with the Child Welfare Act, subsection 36(3), which states that "...every person who in the course of his professional or official duties has reason to suspect that a child has suffered or is suffering from abuse that may have been caused or permitted by a person who has or had charge of the child, shall forthwith report the suspected abuse to the director or a child caring agency", the following policies shall govern the actions of persons employed by the \_\_\_\_\_ School Division with respect to child abuse. (insert name)

## I. Definitions

The following definitions of terms are based on the Manitoba Guidelines on Identifying and Reporting Child Abuse, issued jointly by the Ministers of Community Services and Corrections, Health, Education and the Attorney-General (Winnipeg, 1984), a copy of which is enclosed herewith.

- a) "Child" means a person under the age of majority. (In Manitoba the age of majority is currently eighteen.)
- b) "Abuse" means an act or omission by the parent or person in charge of the child which results in harm to the child. It includes, but is not necessarily restricted to: physical beating, sexual abuse, and failure to provide reasonable protection for the child from physical harm.
- c) "Sexual Abuse" means any exploitation of a child, whether consensual or not, for the sexual gratification of a parent or person in charge of the child and includes, but is not necessarily restricted to: sexual molestation, sexual assault, and the exploitation of the child for purposes of pornography or prostitution.

Sexual activity between children may constitute sexual abuse if the differences in ages between the children is so significant that the older is clearly taking sexual advantage of the younger.

- d) "Emotional Abuse" means acts or omissions on the part of the parent or person in charge of the child, which acts or omissions include but are not restricted to:
  - (i) any unwillingness or inability to provide appropriate care, control, affection or stimulation for a child;
  - (ii) making inappropriate demands upon a child;
  - (iii) exposing a child to frequent family violence tending to produce permanent or long-term emotional disability, including:
    - 1. non-organic failure to thrive;
    - 2. developmental retardation;
    - 3. serious anxiety, depression or withdrawal;
    - 4. serious behavioural disturbances.

- e) "A person in charge of a child" means a person responsible for a child's welfare and includes a guardian or person within the context of a family relationship or foster parent.

## 2. Protection for Informant

Subsection 36(4) of the Child Welfare Act provides that "...no action lies against a person who reports information to the director or a child caring agency in accordance with this section unless the reporting of this information was done maliciously or without reasonable or probable cause.

## 3. Procedures for Reporting

- a) In cases where the person has reasonable or probable cause to suspect child abuse, he or she shall inform the principal of the school of these suspicions and of the fact that a report is being made and shall make an oral report forthwith to one of the agencies listed in (d).

The reporter may, as a follow-up to the oral report, submit a written version of the report as soon as possible thereafter. This written report can be witnessed by the principal in order to indicate that he or she is aware that the report has been made. (See Appendix A for a possible format for this report.)

It is to be noted that the legal responsibility to report lies with the person who suspects the abuse and cannot be transferred.

- b) In cases where grounds for suspecting abuse are of an ambiguous or uncertain nature the person is encouraged to inquire or consult with the child caring agency. This inquiry or consultation is to be distinguished from formal reporting.

If, as a result of this inquiry, it is determined that there are insufficient grounds to proceed with a formal report, the person may nevertheless approach the principal of the school who may arrange for case conferencing or for the provision of support services from the appropriate resource people.

- c) School staff shall not contact the child's family, or the suspected perpetrator, or any other persons to inform or to further investigate the cause or circumstances of the suspected abuse. This is the role and responsibility of the police or child caring agency.

- d) Reports are to be made to any of the following authorized agencies:

- |                                |                          |
|--------------------------------|--------------------------|
| (i) child caring agency        | (insert here appropriate |
| (ii) police                    | local addresses and      |
| (iii) medical child abuse unit | phone numbers)           |

## MODEL STATEMENT OF POLICY ON CHILD ABUSE

3.

- e) The responsibility for investigation and follow-up lies with the outside agencies. In accordance with the Manitoba Guidelines, the child caring agency is expected to inform the school of action taken on the report at the earliest appropriate time.

4. Information-Sharing and Confidentiality

- a) To ensure that the best course of action is taken, the school shall cooperate with the authorized agencies and professionals in the mutual sharing of information necessary for the investigation and treatment process.
- b) With the exception of the transmittal to authorized persons of information necessary in the conduct of investigation and treatment, information related to the allegations or suspicions of child abuse is to be held in strict confidence. In particular, any written records, notations or reports are to be considered confidential and are not to be placed in the child's regular or cumulative record or in any other way allowed to become known to persons who have no legitimate need for such information.

5. Communication and Cooperation with Community Agencies

Since it is important to maintain cooperation among all elements of the community, the superintendent shall ensure that such actions are taken as are thought necessary to pursue and maintain open channels of communication with child caring agencies and police particularly with respect to:

- (i) development and maintenance of clear and mutual understanding of relative jurisdictions, roles and responsibilities;
- (ii) identification of problems which exist or may arise in the working relations of school, police and child caring agency personnel; and
- (iii) development and implementation of specific procedures to solve or forestall such problems.

6. Staff knowledge of policy

Principals shall ensure that all members of their staffs, are familiar with this policy and are adequately prepared, through periodic in-service presentations or other methods, to be alert to the signs of child abuse and to be knowledgeable concerning reporting procedures.

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## APPENDIX A: FOLLOW-UP TO ORAL REPORT OF SUSPECTED CHILD ABUSE

TO: (Insert here name of agency to which referral has been made)

FROM: (Person making report)

Name \_\_\_\_\_

Position \_\_\_\_\_

School and Address \_\_\_\_\_

Phone No. \_\_\_\_\_

This report is a follow-up to an oral/phone report made:

date and time of oral report \_\_\_\_\_

name of agency and person to whom information was reported:

\_\_\_\_\_

Concerning the suspected abuse of:

Name of child \_\_\_\_\_

Date of Birth \_\_\_\_\_

Address \_\_\_\_\_

Father \_\_\_\_\_ Address \_\_\_\_\_  
(include surname) Phone \_\_\_\_\_Mother \_\_\_\_\_ Address \_\_\_\_\_  
(include surname) Phone \_\_\_\_\_

Guardian/Foster Parent \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Narrative description of evidence, circumstances, or events leading to suspicion of child abuse:

What specific follow-up activity was agreed upon by the child-caring agency and/or police at time of oral report?

Other comments or notes:

\_\_\_\_\_  
Signature of Person Reporting

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of School Principal

Date \_\_\_\_\_

Note: Signature of principal indicates only awareness that the report is being made. It does not indicate that the principal acts as co-reporter.



The following comments are intended to clarify certain points contained in the model policy statement and to provide additional background for discussion at the local level.

Section I (b), (c), (d)

Specific signs and symptoms by which child abuse may be recognized are contained in the Teachers' Protocol on Child Abuse, prepared by the Manitoba Teachers' Society. In addition inservice presentations are also available from Manitoba Education. The most useful assistance in determining whether a child is the victim of abuse or not will be found, however, in consultation with local child caring agencies and police.

Section I (d): While the Guidelines acknowledge that emotional abuse is a major concern, they state that it does not require police intervention. Consequently it is recommended that the appropriate resource for reporting suspected emotional abuse be the child caring agency only.

Section I (e): The question has been raised whether this policy statement, and indeed the Guidelines themselves, apply in the case of a teacher or other school employee who abuses a child.

Both the Guidelines and the present policy statement were primarily designed to deal with intra-family abuse. Nevertheless, the designation of "a person in charge of a child" would certainly seem to include a teacher. At the same time, the case of a teacher who commits a physical or sexual assault may also be seen as an instance of third party assault, which is defined in the Guidelines as "...abuse which occurs outside the family..."

Whether an assault committed by a teacher is to be considered technically an instance of child abuse or of third party assault, the reporting procedures described in the present policy statement are deemed to be appropriate.

Section 3 (a): It is to be emphasized that it is the person who suspects the abuse who has the legal responsibility to report. At the same time care must be taken to ensure that the school principal is kept aware of the proceedings.

This sample policy statement mentions the possibility of a written report as follow-up to the immediate oral report. It should be stressed that, while written reports may have certain advantages, including their ability to enforce accountability on the part of both reporter and receiving agency, they are not required by law and may be more open to breaches of confidentiality.

Section 3(b): The value of consultation in the form of face-to-face case conferencing should be emphasized. Besides providing a useful check on inappropriate reporting, consultation allows assistance and resources to be mobilized on behalf of a child who may be at risk before a crisis point is reached. That is, it provides a mechanism for positive, developmental action.

## COMMENTARY

2.

Section 3(e):

While it is outside the scope of this policy statement to detail proposals for action by the child caring agencies, it has been suggested that a formal reporting back to the school by the child caring agency take place.

RECOMMENDED PROCESS FOR ADOPTING  
DIVISIONAL POLICY ON IDENTIFYING AND  
REPORTING SUSPECTED CHILD ABUSE

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STEP NO. 1

Establish a local committee to review and, if necessary, adapt the "Model School Division Policy on Child Abuse". This committee should include school division personnel (eg. representation from the divisional office, representation from school administration staff, representation from the local M.T.S., etc.), local law enforcement personnel (eg. police, crown attorney) and local child caring agency personnel (eg. Children's Aid Society, Child and Family Services staff and/or native child caring agency personnel). It may also include representation from parents' groups, public health personnel and Child Guidance or C.C.D.B. staff.

STEP NO. 2

Upon completion of this review the committee forwards the proposed policy statement to the school board for adoption and inclusion in the division's policy manual.