

CALGARY BOARD OF EDUCATION

CHILD ABUSE / DOMESTIC VIOLENCE PROTOCOL

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Items bolded and marked with an (♦) are additions or enhancements of the previous protocol.

Background

In 1991, the Mayor's Task Force on Community and Family Violence identified the need for coordinated and collaborative strategies to address issues of violence in Calgary. The *Action Committee Against Violence* (ACAV) was established in December 1991, with broad community representation, to address the recommendations of the Task Force. The *Action Committee Against Violence* has three subcommittees that deal with specific aspects of violence in the community: the *Calgary Domestic Violence Committee* (CDVC), the *Children and Youth Subcommittee*, and the *Urban Safety Subcommittee*. The Calgary Board of Education and the Calgary Catholic Board of Education are represented on the *Action Committee Against Violence*, the *Calgary Domestic Violence Committee*, and the *Children and Youth Subcommittee*.

The Domestic Violence Protocol Development Project was started in 1997 by the *Calgary Domestic Violence Committee* and resulted from the identified need to develop internal and linking protocols among Calgary agencies and organizations to better identify and intervene in domestic violence.

Agencies participating in the Protocol Development Project include the Calgary Police Service, Calgary Rocky View Child and Family Services - Child Welfare, the Crown Prosecutors' Office, Community Corrections, women's emergency shelters, Calgary Regional Health Authority (CRHA), and various other family serving and community agencies.

In Calgary, domestic violence includes child abuse, sibling abuse, dating violence, spousal abuse, senior abuse and abuse that may occur between persons with disabilities and their caregivers. The *Alberta Child Welfare Act* (1985) identifies a child witnessing domestic violence as a child at risk of emotional injury. This manual supports the definition of domestic violence, which has been widely accepted in Calgary and provides additional information and direction for education personnel to respond to the needs of students who may be in need of protection.

Introduction

Children are dependent on others for their safety and well-being and have a right to be protected from abuse and neglect.

School personnel who see children on a regular basis are often in the position to identify abuse. In Canadian classrooms, it is estimated that 3 to 5 children in every classroom have witnessed domestic violence.¹ This handbook is intended for use by school personnel 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 Child Welfare and the Calgary Police Service when they are made aware of a problem.

Calgary schools have a long history of collaboration with Child Welfare to identify children in need of protective services. The recognition that children who witness violence are also likely to be emotionally and physically abused and new legislation to protect children involved in prostitution has led to an updated version of the *Child Abuse / Domestic Violence Protocol*. This handbook incorporates changes in practice by Child Welfare and the Calgary Police Service regarding the witnessing of domestic violence as a form of abusive behaviour and recognizing child prostitution as sexual abuse.

This handbook was revised in collaboration with the Calgary Domestic Violence Committee - Protocol Development Project, to better address the issues of child abuse and domestic violence in the Calgary community. Partners in the development of the handbook include: Calgary Rocky View Child and Family Services, women's emergency shelters, the Calgary Police Service and the many editors throughout both Calgary boards of education.

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If the information contained in this handbook is of assistance to you, please feel free to copy the material, and credit the source.

¹ Kincaid, P. J. (1982). The omitted reality: Husband-wife violence in Ontario and policy implications for education. Concord, Ontario: Belsten.

Definitions of Abuse and Violence

The definition of child abuse, according to the *Alberta Child Welfare Act*, 1985, is included in Appendix A. For the purposes of this document, the following definitions/descriptions have been taken from, *Breaking the Pattern: How Alberta Communities Can Help*, Office for the Prevention of Family Violence (1992), *Calgary Communities Against Sexual Abuse and the Calgary Domestic Violence Committee*.

Domestic violence -

Domestic abuse is the attempt, act or intent of someone within a relationship, where the relationship is characterized by intimacy, dependency or trust, to intimidate either by threat or by the use of physical force on another person or property. The purpose of the abuse is to control and/or exploit through neglect, intimidation, inducement of fear or by inflicting pain. Abusive behaviour can take many forms including: verbal, physical, sexual, psychological, emotional, spiritual, economic and the violation of rights. All forms of abusive behaviour are ways in which one human being is trying to have control and/or exploit or have power over another. *Calgary Domestic Violence Committee*.

Economic abuse -

controlling, exploiting or limiting another person's access to financial resources; misuse of another person's funds; cheating or stealing from a person who is in a position of dependency.

Emotional or psychological abuse -

intimidation, isolation, controlling with fear, being exposed to acts of violence directed at another person or a pet, or any behaviour that undermines the mental, emotional or well-being of another.

Neglect -

an act or omission which causes significant emotional or physical harm to a person for whom one is responsible; failure to provide a child with the necessities of life including obtaining needed medical, surgical or other treatment.

Physical abuse -

the intentional application of physical force, causing observable injury to the child.

Sexual abuse of children by adults -

people exposing their genitals, displaying or condoning pornographic materials, photographing a child for pornographic material, obscene telephone calls, voyeurism, requests to or engaging in sexual activities, including sexualized touching of body parts, vaginal and/or anal intercourse, mouth to mouth or mouth to genital contact, forced masturbation, condoning or viewing inappropriate sexual activity or not reporting or responding to the child's report or suspicion of sexual abuse.

Spiritual abuse -

depriving an individual of the opportunity to practice their religion or using scripture in order to manipulate or control the behaviour of another.

Verbal abuse -

name calling, use of derogatory language, put-downs, criticisms.

Indicators of Abuse and Violence

The following is a list of physical and behavioural indicators of abuse. The indicators are not exclusive and may apply to more than one type of abuse. The *observation of one or two of the indicators for any child does not necessarily indicate abuse. Patterns of behaviour which are chronic and extreme present most concern.* It is important to note observations that cause concern. Documentation of unusual behaviours may help school personnel become aware of an abusive or neglectful pattern.

Students who are experiencing any type of abuse may present as being psychologically unavailable for school work. Physical injuries are typically explained by attributing them to accidents in play or to sibling conflict. *School personnel should not attempt to press a student on the subject of parental or guardian abuse. Conducting an investigation is the role of a Child Welfare worker. Ambiguous situations must be referred to Child Welfare for consultation, at 270-5335.*

The single most important indicator of abuse is a child telling someone about the abuse. This disclosure may be either direct or indirect. Disclosures must be taken seriously. If a child discloses:

- pain or marks/bruises resulting from an inflicted injury;
- having been sexually molested;
- witnessing or hearing violence or abuse between members of the family or in their home, accept the information as valid and refer to the School Protocol for Responding to Child Abuse, p 18.

Emotional/Psychological Abuse

Physical indicators may include:

- speech disorders, i.e. stuttering;
- medical conditions which may be associated with or may be triggered by chronic stress, i.e. asthma, allergies, headaches, stomach aches;
- lags in physical development.

Behavioural indicators may include:

- displays inappropriate emotional response to situations;
- engages in extreme behaviour, i.e. cruelty, vandalism, stealing, cheating, fire setting;
- is self-deprecating, or makes grandiose claims of competence;
- self-stimulating behaviour, i.e. tics, tremors, scratching, self-rocking;
- self-mutilation;
- suicidal behaviour;
- verbal abuse, directed at the child, by the parents/guardian.

Neglect

Physical indicators may include:

- chronically unattended medical or dental problems such as infected sores, decayed teeth, glasses not provided when needed.

Behavioural indicators may include:

- chronic failure by parent/guardian to provide the basic necessities, i.e. food, clothing, shelter, adequate adult supervision;
- chronic unexplained absences, lateness or fatigue, which can be explained by the failure of parent/guardian to provide for the basic necessities;
- student behavioural concerns, i.e. adolescent pregnancy, alcohol and drug abuse, risk taking behaviours, by the student, that pose a threat to safety.

Physical Abuse

Physical indicators may include:

- unexplained change in physical appearance, i.e. bruises, bald spot, burns;
- unexplained injuries, i.e. fractures.

Behavioural indicators may include:

- student exhibiting low self-esteem, fear;
- wariness or inability to tolerate physical touch of others;
- choice of clothing that covers body and may be inappropriate for weather conditions and avoidance of changing for school activities;
- isolation, inability to form good peer relationships;
- extremes in behaviour: aggression or withdrawal.

Sexual Abuse

Physical indicators may include:

- difficulty in walking or sitting;
- pain or itching in the genital area;
- frequent urinary or yeast infections;
- wetting or soiling self;
- frequent, unexplained sore throats.

Behavioural indicators may include:

- shows unusual interest in sexual matters and seems to have sexual knowledge beyond their developmental stage;
- tiredness, withdrawal, hyper-vigilance and behavioural extremes;
- compulsive masturbation;
- self-mutilation;
- acts out sexually towards other children or adults, i.e. sexually explicit behaviour.

Witness/Victim of Domestic Violence

Physical indicators may include:

- parents frequently report that they have consulted with a physician about the physical complaints of their children, but no medical problem was diagnosed;
- physical complaints, i.e. stomach aches, headaches, chronic colds, allergies;
- sleep disturbances, i.e. nightmares, insomnia, bedwetting;
- eating disturbances;
- depression.

Behavioural indicators may include:

(Behavioural indicators include those identified for physical and emotional abuse.)

- fearful, i.e. afraid of loud noises or loud voices;
- approval seeking, caretaking behaviour;
- behavioural extremes, i.e. acting out, isolated, withdrawal, extreme compliance, perfection seeking;
- absence from school, running away from home;
- early pregnancy and/or early marriage;
- self-mutilation;
- alcohol and/or drug abuse.

Child Prostitution²

(The observation of one or two of the indicators for any child does not necessarily indicate abuse. Patterns of behaviour which are chronic and extreme present most concern.)

Risk factors may include:

- desperation or isolation as a result of running away from a troubled home or an abusive situation;
- being a victim of sexual, physical and/or emotional abuse or family violence.

Attitudinal indicators may include:

- acts cold toward or withdraws from family and/or friends;
- is secretive and withholds information about where they have been or with whom;
- has extreme mood swings;
- becomes angry, confrontational or abusive when challenged;
- is protective of new boyfriend or girlfriend and provides little information when asked;
- demands more freedom to do as they please.

Behavioural indicators may include:

- comes home later than usual without a good reason;
- engages in binge eating or experiences an observable weight loss;
- hangs around with older crowd;
- begins to wear expensive clothes or trinkets;
- begins to carry a cell phone or pager using blocked or private numbers;
- talks about moving into own place to have more freedom.

² Information on child prostitution was provided by *Calgary Rocky View Child and Family Services*.

Indicators of an Abusive and Violent Environment

Abuse can occur in any family, no matter where a family lives, their income level, age, ethnicity, nationality, or cultural group. Abuse may be directed at children, a spouse, an elderly family member, or a person in a position of dependency.

Living in an abusive family has an impact on all of the family members. *The impact is the same whether you are a witness to the violence or if you are abused.*

Children are more vulnerable to abuse when they are in a home where there is spousal violence. Research indicates that 40% to 75% of children, are both witnesses and victims of violence.³ When children live with a parent who is perpetrating domestic violence, they are 12 to 14 times more likely to be sexually abused.⁴

Serious behaviour problems are 17 times higher for boys and 10 times higher for girls who live in violent homes.⁵

Children from abusive homes learn:

- abuse and violence are the way to get what you want;
- adults have power that they misuse;
- expression of personal feelings signifies weakness;
- trusting others is dangerous;
- abuse is a secret and should not be talked about; and
- allowing yourself to feel is dangerous.

Common effects of abuse in families:

- higher levels of stress and anxiety;
- greater incidence of suicidal behaviour;
- frequent visits to medical caregivers for somatic complaints (i.e. variety of physical ailments);
- greater incidence of miscarriage;
- reduced coping and problem solving capabilities; and
- higher levels of social isolation and the misuse of alcohol and drugs.

Children do not cause the abuse. Abusers frequently deny responsibility by blaming other family members for the abuse. Abusers frequently lack an awareness of the impact of their abuse on their family; may have a limited awareness of their feelings and how to express them; often have a vulnerable sense of well-being that is impacted by events outside of their control; and may have come from abusive homes. None of these factors diminish the impact of the abuse or the fact that abuse and violence are not acceptable and are against the law.

³ Layzer, J.I., Goodson, B.D., & DeLange, C. (1986). Children in shelters. *Response*, 9, 2-5.

Strauss, M.A., Gelles, R.J., & Steinmetz, S.K. (1980). *Behind closed doors: Violence in the American family*. Garden City, NY: Anchor.

⁴ Layzer, Goodson & DeLange, 1986; Strauss, Gelles & Steinmetz, 1980.

⁵ Wolfe, D.A., Jaffe, P., Wilson, S., & Zak, L. (1985). Children of battered women: The relationship of child behaviour to family violence and maternal stress. *Journal of Clinical and Consulting Psychology*, 53, 657-665.

Reporting to Child Welfare

The following reporting guidelines are relevant for students 17 years of age and younger. Students who are 18 years of age or older may be referred to the police, with the consent of the student.

Please refer to p 18, for specific reporting protocol.

Legal Obligation to Report

The Alberta Child Welfare Act (1985) Part I, 3, (1) states that:

any person who has reasonable and probable grounds to believe and believes that a child is in need of protective services shall forthwith report the matter to a Director of Child Welfare or his designate, a Child Welfare Worker.

Section 3.6 states that:

any person who fails to make a report of child abuse or neglect to Child Welfare while having reasonable or probable grounds to believe abuse or neglect is occurring, is guilty of an offense and liable to a fine of not more than \$2,000.00 and a default of payment to imprisonment for a term of not more than six months.

What Information to Report

When reporting allegations or suspicions of abuse to Child Welfare, the Child Welfare screener will ask for the following information. If school personnel do not have all of the information, concerns must still be reported.

- full name, date of birth, and address for all family members (when available)
- a disclosure of abuse by the student
- a summary of the conversation between the school personnel and the student at the time of the disclosure (refer to Protocol for Documentation by School Personnel, p 22)
- your observations of physical and behavioural indicators (over what period of time, are behaviours different now then when first observed)
- factors which may increase vulnerability to abuse, i.e. if the student or sibling has a disability, high needs, or is isolated
- alcohol or drug abuse by parents
- adolescent who is suspected of being in an abusive dating relationship

Allegations Regarding Staff

In cases where allegations of child abuse have been made against school personnel, all such cases must be reported to the Principal and the Superintendent responsible for employee services or Human Resources (refer to the CBE Harassment Policy 4027.2). If allegations of child abuse are made against a Principal these must be reported directly to the Superintendent of Human Resources or appropriate senior administrative staff. Superintendent of Human Resources or appropriate senior administrative staff must contact the Calgary Police Service at 266-1234.

The Role of the School in the Investigation of Child Welfare Concerns

The investigation of a child protection complaint will be conducted by a duly authorized Child Welfare worker with assistance from the police, as required. *These responsibilities cannot and must not be assumed by school personnel.*

The safety and welfare of the child involved is of paramount concern in any investigation. Child Welfare workers, police and school personnel must cooperate, collaborate and coordinate their efforts to protect the child.

Confidentiality

The *Alberta Child Welfare Act*, 1985, clearly indicates that the duty to report *child abuse supersedes any right of confidentiality or privilege a person may claim.*⁶ An exception to this is the cumulative records of students. These records may only be accessed by subpoena, although the information contained within can be discussed with a Child Welfare worker, if the information is relevant to the investigation of abuse.

Identification of Investigators

Identifying Child Welfare Workers in the School

Child Welfare workers carry identification and are routinely asked to produce it. *School personnel must request that the investigator present their picture identification.* The Child Welfare worker must explain the nature of the investigation and clarify how the school might assist.

Identifying Child Welfare Workers on the Telephone

Individuals other than school personnel frequently contact Child Welfare to report suspected child abuse. In these circumstances, the Child Welfare screener will typically contact collateral resources, such as schools, to ascertain if there are concerns from more than one source. In these situations:

- request the Child Welfare worker's telephone number and office location;
- hang-up the telephone;
- contact the district office identified by the Child Welfare worker to confirm the identity of the Child Welfare worker;
- once confirmed, re-contact the Child Welfare worker.

Responding to Requests for Information from Child Welfare Authorities Outside of the Calgary Region

All requests for information by Child Welfare authorities from outside the Calgary region will be directed to local Child Welfare screening at 270-5335. These requests may be redirected, by the screener, to the Regional Authority Office.

⁶ Adapted from: Alberta Family and Social Services, Alberta Justice, Alberta Health, Alberta Education, (1998) *Responding to child abuse: A handbook*. Government of Alberta.

Access to Information on Student Placement

When minimal information is received by Child Welfare on a child, one of the first steps in determining if a child is in need of protection is to contact each of the school boards to learn where the child attends school. This information will be provided in a timely manner by each of the school boards to the Child Welfare screener.

Access to Students

1. It is often necessary for Child Welfare investigators to interview the student in the school setting. This is supported by Board policy (CBE Policy and Regulation Manual, Policy 6,016).
2. No student will be forced or pressured to make a statement or to provide information they are not prepared to reveal.
3. Every effort will be made to consult with school personnel on the best strategy to minimize the possible stigmatization of the student in the investigation process.

Presence of School Personnel

1. It is not necessary for school personnel to be a part of the Child Welfare interview. The presence of school personnel may be requested by either the Child Welfare worker or the student to lend support to the student. School personnel have the right to refuse to attend a Child Welfare interview.
2. The Child Welfare worker has the obligation to provide the principal or designate with feedback following the interview. This does not include the disclosure of the details of the allegation, which is strictly confidential. If it is not possible to provide information at that time, the name and number of a contact person who will be able to address ongoing concerns from the school should be left for the principal.
3. School personnel should be aware that they may be subpoenaed if they have been present during an interview or if relevant information was disclosed to them by the student.

Interviews of School Personnel

Investigators may wish to interview school personnel who have regular contact with the child or specific information relevant to the investigation. The principal or their designate will facilitate these contacts.

Threats

If as a result of a Child Welfare investigation, threats are made against school personnel or the child, the principal must contact the police.

The Role of the Teacher

It is the role of the teacher to recognize the vulnerability of school-aged children and to be alert to the physical, emotional and behavioural indicators of abuse, neglect and witnessing violence. It is the responsibility of the teacher to consult with the principal or their designate as soon as indicators of abuse are suspected and to report any suspicions of abuse to Child Welfare. *The person who receives the disclosure or observes indicators of abuse is responsible for making the report to Child Welfare.* The names of individuals who report information to Child Welfare will not be disclosed.

Parent Volunteers

In the case of parent volunteers, the parent volunteer must report the disclosure to the teacher, who will bring the information to the attention of the principal. The parent volunteer is responsible for contacting Child Welfare with the allegation of abuse. Please refer to the School Protocol for Responding to Child Abuse, p 18.

Do's And Don'ts Of Handling Disclosures

Do:

- Report disclosures and indicators of abuse to Child Welfare.
- Deal with any medical emergencies.
- Accept the seriousness of what has been disclosed.
- Give the student as much time as they need to tell what happened.
- Let the student know that the full range of feelings they may be experiencing is normal.
- Let them know that they did not do anything to cause the abuse.
- Encourage the student to let you know what happens.
- Keep the information confidential in the school. Inform only those staff who need to be aware of the abuse.

Don't:

- Don't notify the parents or guardian that a referral to Child Welfare has been made.
- Don't guarantee confidentiality (information that indicates a student may be at risk must be reported to Child Welfare), "quick fixes", or make promises that can't be kept.
- Don't display a strong emotional reaction. Excessive crying, disgust, or embarrassment, may make the student feel responsible for you or communicate that you are not comfortable hearing about the abuse.
- Don't assume that the crisis has passed because time has passed since the last incidence of abuse. This is particularly true of sexual abuse.
- Don't probe for information if abuse is disclosed, this is the role of the Child Welfare worker.

You Can Help by:

- Assisting the student to identify people in their lives who will be supportive.
- Assisting the student to find the community resources they may need.
- Continuing to provide a safe and supportive environment for the child.
- Adjusting academic expectations of the student, if necessary.
- Continuing to document behaviours or incidents which cause concern. Child Welfare workers may need more information to pursue an investigation. Ensure required forms are completed, see Protocol for Documentation by School Personnel, p 22.
- School personnel should seek support for themselves to discuss or debrief with any of the following school resources: Consultant, Psychologist, Specialist, Guidance Counsellor, Resource Staff or Employee Assistance Program.

The Role of the Principal

The principal plays a pivotal role in supervising and supporting school personnel in identifying and reporting Child Welfare concerns. The key responsibilities are:

1. To ensure that all school personnel are aware of procedure to be followed in reporting child abuse and children witnessing domestic violence.
 - To familiarize all staff with the Child Abuse/Domestic Violence Protocol and to be aware of the policies and procedures relating to the management of child abuse (CBE - policy 6,016).
 - To familiarize school personnel with the Protocol for Guest Presenters Regarding Disclosures of Child Abuse or Domestic Violence, p 21.
2. To stress confidentiality regarding ongoing Child Welfare involvement or a student's history of abuse. Refer to p 11, for more information on confidentiality.
3. To facilitate supportive school involvement in Child Welfare investigations by:
 - ensuring that Child Welfare workers present identification prior to access to any information or to the student;
 - clarifying with the Child Welfare worker as to when contact with the parents will be made, particularly when an investigation commences near the end of a school day;
 - clarifying that the Child Welfare worker will contact parents prior to the end of the school day, if the Child Welfare worker requests that a student not be allowed to return home until contact has been made;
 - providing the Child Welfare investigator's name and telephone number to parents who inquire if a student is apprehended from the school, or their return home is delayed because of the investigation.
4. To promote and support in-services related to child abuse and domestic violence.
5. To ensure that parent volunteers are aware of the need to report disclosures of child abuse to the classroom teacher and to Child Welfare in accordance with the school protocol, p 13.

Responding to Requests for Information from Child Welfare Authorities Outside of the Calgary Region

All requests for information by Child Welfare authorities from outside the Calgary region will be directed to local Child Welfare screening, at 270-5335. These requests may be redirected, by the screener, to the Regional Authority Office.

The Role of the Child Welfare Worker

Presenting Identification in the Schools

When Child Welfare workers present themselves at a school to investigate allegations of child abuse, they must routinely show their identification to school personnel, explain the nature of the investigation, and clarify how the school might assist in the investigation.

Informing School Personnel

Child Welfare workers can assist school personnel by providing the following information to the school contact person:

- the school contact person must be informed if there will be an investigation and when the investigation will commence;
- the name of the social worker who will be working with the family;
- if there is insufficient information to proceed or an investigation will not proceed immediately, the name of a Child Welfare contact person will be provided;
- direction to school personnel on any communication with the family;
- information that will directly impact the child's ability to participate at school and that may impact the school environment, i.e. a condition requiring medical assessment or a behaviour problem;
- the role of the school, specifically, how to support the child and what information would be helpful to assist the investigating Child Welfare worker;
- safety plans for students which involve the school when students are returning to homes where abuse and violence are ongoing;
- information on the referral of the family to treatment agencies, when there is an expectation that school personnel will be required to collaborate with the treatment agency;
- closure of a Child Welfare file.
- the procedure for reporting subsequent concerns.

Identifying Child Welfare Workers on the Telephone

Individuals other than school personnel frequently contact Child Welfare to report suspected child abuse. In these circumstances, the Child Welfare screener will typically contact collateral resources, such as schools, to ascertain if there are concerns from more than one source. In these situations the Child Welfare worker can expect the following procedure will be followed to verify the identity of the caller. The school personnel will:

- request the Child Welfare worker's telephone number and office location;
- hang-up the telephone;
- contact the district office identified by the Child Welfare worker to confirm the identity of the Child Welfare worker;
- once confirmed, re-contact the Child Welfare worker.

Notification of Parents

The investigator is responsible for notifying parents. School personnel must not notify parents or guardians of Child Welfare involvement.

The investigator will normally notify the parent following initial contact with the child, to prevent an opportunity for further abuse to the child or for pressuring the child into changing their story.

Notification of parents must occur before the end of the school day if the Child Welfare worker has requested that the student not be allowed to return home until an interview with the student has occurred.

The Role of the Police Officer

Calgary Police Service, Central Communications 266-1234

When police officers present themselves at a school they must routinely show their identification to school personnel and explain the nature of the investigation. School board policy requires that a Child Welfare worker be present when police officers interview a student.

When police investigators become involved in child abuse investigations, it is usually because Child Welfare has requested their involvement. Schools must always contact Child Welfare to determine police involvement.

The Calgary Police Service has several specialized units that may become involved when a student is identified at risk. Central Communications and/or the responding police officer will make the decision to involve a specialized investigator.

Child At Risk Response Team (CARRT), may become involved when children are determined to be in a situation that poses immediate risk. CARRT is a collaborative response between Child Welfare and the Calgary Police Service. Each team has a police officer and a social worker. CARRT is best accessed by contacting Child Welfare. The screener will determine if CARRT involvement is required.

Child Abuse Unit / Sex Crimes Unit

The Calgary Police Service, Child Abuse Unit and Sex Crimes Unit are located on the 10th floor, 133 - 6 Ave. S.E., telephone 268-8390.

- The Child Abuse Unit investigates complaints involving children under the age of 14.
- The Sex Crimes Unit investigates complaints where the victim is 14 years and older.

Specialized investigative units such as the Child Abuse Unit and Sex Crimes do not typically respond to the initial request for police assistance. Their expertise will be requested by the investigating constable.

Child Abuse Unit

- Investigates all complaints of child abuse that are sexual in nature, including historical incidents.
- Investigates or coordinates complaints of child abuse that involve severe physical or emotional abuse. Field personnel will investigate complaints of physical abuse involving children.
- Works closely with Calgary Rocky View Child and Family Services - Child Welfare and the Alberta Children's Hospital Child Abuse Program.
- Provides assistance to other units within the Calgary Police Service, and external community partners by providing ongoing training, advice and investigative expertise as needed.

Domestic Conflict Unit (DCU), is both an investigative unit and a resource for professionals. They can be contacted directly with questions or inquiries in non-emergency situations.

Dealing with Child Welfare Concerns

Conflicts will occasionally arise regarding how the needs of children are identified and managed. *The primary goal of conflict resolution is to resolve conflict in the best interest of the student.*

School Concerns with the Child Welfare Response

Differences in opinion may occur at intake if Child Welfare feels that the information provided by the school is not sufficient to warrant an investigation or where the referral has been accepted but there is disagreement on the case plan. School concerns will be addressed in the following manner.

1. Document all concerns.
2. Contact the Child Welfare Intake supervisor, at 270-5335, to request clarification.
3. If this fails to resolve the matter, initiate a meeting between the Child Welfare worker and school personnel. Include supervisory/administrative staff from both Child Welfare and the school.
4. If concerns are unresolved, write a letter directed to the appropriate District Office Manager. Senior administration should receive a copy of the letter.
5. Upon receipt of the letter, the District Office Manager will initiate a review.

Parent / Child Concerns with the Child Welfare Response

There are two avenues of appeal for families.

1. The Child Welfare Appeal Panel is accessed through the District Office Manager. The Panel can confirm, alter, or reverse certain decisions including: to remove or place a child; to grant access to a child in permanent care; to disclose or refuse to disclose personal information; to refuse to enter into an agreement or pursue an order on behalf of a child; and to refuse an application to foster or adopt. School personnel may not appeal on behalf of children or parents.
2. The Children's Advocate advocates on behalf of children receiving protective services to ensure that there is a voice speaking for the child. Children, parents, foster parents and/or school personnel can contact the Children's Advocate with concerns.

Child Welfare Concerns with the School Response

When school personnel act in ways that are considered inadequate or inappropriate, concerns will be addressed in the following manner.

1. Child Welfare requesting a meeting with the school principal and relevant members of the school staff.
2. If the above intervention does not produce a resolution, the supervisor may advance the matter to the senior administrative staff for review. Concerns should be presented in writing, with a copy to the relevant District Office Manager.

School Protocol for Responding to Child Abuse

Calgary Rocky View Child and Family Services Child Welfare Screening - 297-2995

If a child discloses or a teacher suspects child abuse (emotional, physical, sexual, neglect or a child witnessing violence), *maintain strict confidentiality* among personnel directly involved with the student and take the following steps:

1. Know the signs and symptoms of abuse.
2. Support the student. If there is a disclosure of abuse:
 - listen calmly;
 - believe the student;
 - reassure the student that they are not to blame;
 - do not interview the student to collect more information.
3. Inform the principal, principal designate or senior administrative staff to determine who will contact Child Welfare authorities. The person who receives the disclosure and/or who identifies signs and symptoms of abuse is responsible for ensuring that the information is reported to Child Welfare. Reporting does not require the consent of administration.
4. Consult with Child Welfare. *School personnel are not required to prove that the student is in need of protective services.* They are only required to report observations or disclosures of suspected abuse.

Do not agree to any involvement that causes you to feel uncomfortable or is outside your role as a teacher/school personnel.

It is essential that reporting to Child Welfare be prompt, at the earliest possible time on the day of the disclosure of abuse or suspicion of abuse. This allows time for a Child Welfare worker to respond.

5. Ask for instructions from the Child Welfare screener on:
 - what to expect (i.e. investigation, no action);
 - when action can be expected;
 - how the school can assist;
 - contact person if the school has any questions;
 - direction on any communication with the student's family;
 - who will assist with safety planning for students returning to homes where they are witnessing violence.

Do not contact the student's family.

6. Document observations or disclosures, action taken, and the plan for further action as communicated by Child Welfare. Complete any forms, as identified in the Protocol for Documentation. This information does not belong on the student's official student record or cumulative file.
7. Have information on community resources where help is available for domestic violence and abuse issues. If the family is involved in a program, encourage them to contact their counsellor if they are having difficulties or contact the identified Child Welfare worker with continuing or escalating concerns.
8. School personnel should seek support for themselves to discuss or debrief with any of the following school resources: Consultant, Psychologist, Specialist, Guidance Counsellor, Resource Staff or Employee Assistance Program.

Extra-Familial Sexual Assault

Calgary Communities Against Sexual Abuse (CCASA)

Office: 237-6905 . . . 24 Hour Crisis: 237-5888

Rockyview General Hospital / Calgary Sexual Assault Response Team (CSART) 541-3449

If a counsellor, teacher, or other school personnel suspects, or becomes aware, that a student has been sexually assaulted:

- maintain strict confidentiality among personnel directly involved with the student; and
- consult with Child Welfare screening on the appropriate interventions if: there are concerns that the parents cannot or will not protect the student; when other children may be at risk; or if parents ability to protect children is not known.

The Child Welfare screener may direct the student and/or parents to contact the police. If a Child Welfare investigation will be undertaken, the School Protocol for Responding to Child Abuse, p 18, must be followed.

The following information will be helpful to the student and their parents/guardians if there will be no Child Welfare investigation.

1. If a student discloses that a sexual assault has occurred, be supportive.
2. The medical needs of the student should be attended to as soon as possible.
 - If the assault occurred in the previous 72 hours, it may be possible to collect evidence for future criminal proceedings. The student and their family should be referred to the Calgary Sexual Assault Response Team (CSART) at the Rockyview Hospital for an examination and forensic evidence collection. Support for the student and their family will be available through CSART. The police will be contacted if evidence is to be collected.
 - If the assault occurred more than 72 hours previously, students can be referred to their family physician. Students who do not have a physician with whom they are comfortable, may contact Calgary Communities Against Sexual Abuse (CCASA) for a physician referral.
3. The decision to involve the police needs to be made by students and their families. Even if the assault is reported to the police, students can later decide not to proceed through an investigation and trial.
 - The student should contact the Calgary Police Service Central Communications at 266-1234. Once the student has been interviewed by a police officer from the district office in which the student resides, the police may ask that a detective from the Sex Crimes Unit come and interview the student as well.
4. Refer students and their support network to professional counselling services available through Calgary Communities Against Sexual Abuse (CCASA). Students may choose not to seek counselling until several months past the assault. This is a common response and the students' decision should be supported. It is often helpful for families to have written information in this initial period. Pamphlets are available from CCASA on what to expect and how to support the survivor.

Information for Parents / Guardians Regarding Mental Health Concerns

If a counsellor or teacher suspects, or becomes aware, that a student has mental health difficulties (i.e. suicide, depression), maintain strict confidentiality among personnel directly involved with the student, contact the parents with concerns, and provide the following information to parents.

1. Information on referrals to the school psychologist and/or outside agencies will be given to the students and their parents or guardians. Parents and guardians should take responsibility for managing the mental health concerns of their children. School personnel can assist by providing support and direction to parents.
2. Parents should collect information on the duration, appearance, affect, behaviour and symptoms their child is presenting with.
3. Parents should inform programs and/or services already involved with their child or family of the concerns identified by school personnel.
 - Request a case conference.
 - Maintain contact with resources.
 - Clarify responsibilities of others involved.
4. Parents may request a consultation with their family physician if their child is not presently involved with other resources. Request a mental health assessment and/or a referral to a program which is most likely to address the identified concerns. A list of physicians accepting new patients is available from the school nurse if the family does not have a physician.
5. If children are in need of emergency psychiatric services, they may be taken to any of the Calgary Regional Health Authority (CRHA) Emergency Departments for medical assessment and if required, a psychiatric consultation.
 - Parents should record the names of the physicians/professionals who assessed the child, the times they were seen and phone numbers for the individuals.
 - It is not uncommon for children to stabilize during the wait to receive services in the emergency waiting room, as there can be lengthy delays. If this occurs and the child is not admitted, ask for direction on appropriate services, who should refer the child (i.e. is physician referral required?), contact person in the program, and plan if the child decompensates later that day or several days later.
 - If it becomes necessary to revisit the Emergency Department, any of the CRHA facilities may be accessed. However, if subsequent visits are at different facilities it may be necessary for parents to sign a Release of Information form to allow medical staff and other professional staff to access previous assessments.
6. Once on a waiting list for mental health services, it is important that parents update the program on changes in the child's circumstances.
7. It may be necessary to contact the family physician, the hospital and agencies providing services several times. Parents must be assertive, persistent and continue to advocate for their children.

Teaching Students with Emotional Disorders (1999), is a resource for teachers.

School Protocol for Guest Presenters Regarding Student Disclosures of Child Abuse or Domestic Violence

1. *Prior to the presentation* of any program to students, the school contact person and the guest presenter will meet and discuss:
 - written outline of the content of the presentation;
 - roles and boundaries of the school contact person and the guest presenter with special attention to the issue of confidentiality;
 - protocol regarding a student disclosure of abuse or witnessing domestic violence; and
 - relevant school board policies.
2. If a student *discloses abuse* (emotional, physical, sexual, neglect or witnessing domestic violence) *maintain strict confidentiality* among personnel directly involved with the student.
3. Document observations or disclosures, action taken, and the plan for further action as communicated by Child Welfare. Complete any forms, as identified in the Protocol for Documentation, p 22. Documentation should generally not occur in the presence of the child but as soon as possible after a disclosure.
4. Notify the principal or designate of the disclosure.
 - The guest presenter will inform the school contact person of the disclosure.
 - The principal or designate will be informed of the disclosure by the school contact person. Knowledge of a suspected case of child abuse is confidential. However, a decision may be made to request corroborating information from the student's classroom teacher, the guidance counsellor, resource personnel or the school nurse.
5. *The person who receives the disclosure of abuse is responsible for reporting the disclosure to Child Welfare*, as required by the Child Welfare Act and the School Protocol for Responding to Child Abuse.
 - If requested, the principal or designate may facilitate the referral to Child Welfare.
 - It is not required that the allegation of abuse be proven by the person who received the disclosure or by school personnel, only that the abuse be reported to Child Welfare.
 - Ultimately it is the responsibility of the person whom received the disclosure to report to Child Welfare, even in cases where the school may not wish to do so. If the guest presenter does not report to Child Welfare directly, they may require verification that Child Welfare was contacted.
6. In circumstances of *extra-familial abuse*:
 - the individual receiving the disclosure must consult with Child Welfare when there are concerns that the parents cannot or will not protect the student, or other children are at risk, or if parents ability to protect children is not known;
 - the decision to proceed will be made by the police and/or Child Welfare authorities;
 - contact parents/guardians with information on the disclosure, if Child Welfare will not be involved.

Protocol for Documentation by School Personnel

When documenting information, the following are guidelines. All documentation should be completed immediately following or within twenty-four hours of an event. If there is an investigation of abuse by either Child Welfare authorities or the police, it is possible that records will be subpoenaed.

1. If it is important enough to take notice, then take notes.
 - Record incidents that illustrate problems, as they occur.
 - Note the time, date, location, and who was present.
2. Be objective, separate fact from impressions and do not interpret events.
 - Make every effort to record the child's words in the recording.
3. Describe acceptable as well as unacceptable behaviour.
4. Information that is obtained regarding the student's problem outside of the school should be documented and noted as such.
5. Record all attempted interventions.
 - Note the time, date, location, and who was present.
6. Such records are to be kept by the principal in a confidential file. In no circumstances are these records to be kept in the student's cumulative record card.

Information recorded on child abuse is confidential and must not be documented on the official student record. The records may be released in accordance with the law. If asked for this information, contact the Superintendent or the senior administrative staff person responsible for FOIP issues.

Appendix A

Legislation – Child Welfare Act

A. Legal Definition

The following sections are taken from the Alberta Child Welfare Act, July 1, 1985.

- 1(2) For the purposes of this Act, a child is in need of protective services if there are reasonable and probable grounds to believe that the survival, security or development of the child is endangered because of any of the following:
- a) the child has been abandoned or lost;
 - b) the guardian of the child is dead and the child has no other guardian;
 - c) the guardian of the child is unable or unwilling to provide the child with the necessities of life, including failing to obtain for the child or to permit the child to receive essential medical, surgical or other remedial treatment that has been recommended by a physician;
 - d) the child has been or there is a substantial risk that the child will be physically injured or sexually abused by the guardian of the child;
 - e) the guardian of the child is unable or unwilling to protect the child from physical injury or sexual abuse;
 - f) the child has been emotionally injured by the guardian of the child;
 - g) the guardian of the child is unable or unwilling to protect the child from emotional injury;
 - h) the guardian of the child has subjected the child to or is unwilling or unable to protect the child from cruel and unusual treatment or punishment;
 - i) the condition or behaviour of the child prevents the guardian of the child from providing the child with adequate care appropriate to meet the child's needs;
- (3) For the purposes of this Act,
- a) a child is emotionally injured
 - i. if there is substantial and observable impairment of the child's mental or emotional functioning that is evidenced by a mental or behavioural disorder, including anxiety, depression, withdrawal, aggression or delayed development, and
 - ii. there are reasonable and probable grounds to believe that the emotional injury is the result of
 - a) rejection,
 - b) deprivation of affection or cognitive stimulation,
 - c) exposure to domestic violence or severe domestic disharmony,
 - d) inappropriate criticism, threats, humiliation, accusations or expectations of or towards the child, or
 - e) the mental or emotional condition of the guardian of the child or chronic alcohol or drug abuse by anyone living in the same residence as the child;
 - b) a child is physically injured if there is substantial and observable injury to any part of the child's body as a result of the non-accidental application of force or an agent to the child's body that is evidenced by a laceration, a contusion, an abrasion, a scar, a fracture or other bony injury, a dislocation, a sprain, hemorrhaging, the rupture of viscus, a burn, scald, frostbite, the loss or alteration of consciousness or psychological functioning or the loss of hair or teeth;
 - c) a child is sexually abused if the child is inappropriately exposed or subjected to sexual contact, activity or behaviour, including prostitution related activities.

B. Legal Liability

- 3 (1) Any person who has reasonable and probable grounds to believe and believes that a child is in need of protective services shall forthwith report the matter to a director.
- (2) Subsection (1) applies notwithstanding that the information on which the belief is founded is confidential and its disclosure is prohibited under any other Act.
- (3) This section does not apply to information that is privileged as a result of a solicitor-client relationship.
- (4) No action lies against a person reporting pursuant to this section unless the reporting is done maliciously or without reasonable and probable grounds for the belief.
- (5) Notwithstanding and in addition to any other penalty provided by this Act, if a director has reasonable and probable grounds to believe that a person has not complied with subsection (1) and that person is registered under an Act regulating a profession or occupation prescribed in the regulations, the director shall advise the appropriate governing body of that profession or occupation of the failure to comply.
- (6) Any person who fails to comply with subsection (1) is guilty of an offense and liable to a fine of not more than \$2,000.00 and in default of payment to imprisonment for a term of not more than 6 months.

C. Confidentiality and Information Sharing

- 91(1) Except in proceedings under this Act or in accordance with section 6.5 the Minister and any person employed or assisting in the administration of this Act shall preserve secrecy with respect to the name and any other identifying information of a person that comes to his attention under this Act and shall not disclose or communicate that information to any other person except as otherwise provided in this section.
- (2) Subject to section 66, the Minister or any person employed or assisting in the administration of this Act may disclose or communicate any information referred to in subsection (1) to the following:
 - a) the guardian, parent or foster parent of the child to whom the information related or the lawyer of any of them;
 - b) the child to whom the information relates or his lawyer;
 - c) a physician, certified psychologist or registered social worker who is responsible for any care or treatment being provided to the child to whom the information relates or for any assessment in respect of that child;
 - d) a member of a police force or an agent of the Attorney General if the person disclosing the information has reasonable and probable grounds to believe that an offence under the Act of the Parliament of Canada has been committed;
 - e) a teacher if he has responsibility for the education of a child to whom the information relates;
 - f) the board of an approved hospital or health unit that is responsible for providing services to the child to whom the information relates;
 - g) any person employed or engaged by the Minister;
 - h) any person assisting the Minister in the Administration of this Act;
 - i) any person employed in the administration of child protection legislation in another province;
 - j) any person with the consent in writing of the Minister, the child or the guardian of a child.

- (3) Notwithstanding subsection (2), no information shall be disclosed or communicated pursuant to this section without the consent in writing of the Attorney General or his agent if that information was provided by an agent of the Attorney General.
- (4) Notwithstanding subsection (2), the name of the person who reports to the Minister pursuant to section 3 or 4 shall not be disclosed or communicated to any person without the consent in writing of the Minister.
- (5) No liability attached to the Minister or any other person who discloses or communicates information in accordance with this section if the disclosure or the communication is made in the administration of this Act or for the protection of the child.
- (6) Any person who contravenes this section is guilty of an offence and liable to a fine of not more than \$2,000 and in default of payment to imprisonment for a term of not more than 6 months.

Appendix B

Legislation – Protection of Children Involved in Prostitution Act⁷

Background

In January 1999 the Government of Alberta enacted a first law of its kind to protect children under the age of 18 years who are at risk of or involved in prostitution and any related activity. This law provides for children in need of protection and increases the prosecution of johns and pimps who sexually abuse young children.

Statement of Principles

The Government of Alberta believes:

- children involved in prostitution are victims of sexual abuse;
- children involved in prostitution require victim protection services and support;
- children have a right to be safe from sexual abuse and protected from sexual exploitation;
- families should be actively involved in ensuring the safety of their children if involved in prostitution;
- children and their families need to access support services; and
- johns and pimps are perpetrators of child sexual abuse and must be held legally accountable for their behaviours.

This Law Protects Children By:

- recognizing children involved in prostitution as victims of sexual abuse;
- defining a child in need of protection when “engaging or attempting to engage in prostitution” in exchange of goods for sex whether it be on the street, the stroll, trick pads, escort services or bawdy houses;
- providing voluntary support services for the child and/or family to help the child leave and who are in danger;
- combating and assisting children who are engaged in prostitution; and
- making it easier to allow police and child welfare workers to take children off the street.

The Law Provides Protective Safe Houses To:

- protect and ensure the child’s safety up to 72 hours;
- provide emergency care and treatment;
- assess future risk of involvement and need for protection;
- ensure 24 hour care in a secured facility with specialized staff; and
- provide professionals and advocates for the child and their family.

This Law Increases the Punishment of Pimps and Johns By:

- arresting pimps and johns who pick up children for sexual favours and once convicted, a \$25,000 fine and/or jail for up to two years;
- providing an additional tool, together with the Criminal Code of Canada (and Alberta’s Child Welfare Act) to prosecute johns and pimps;
- giving police, parents or child welfare directors quicker access to judges to get restraining orders against pimps; and
- allowing police to enter, with force if necessary, premises to search for and apprehend a child suspected of being involved in prostitution.

⁷ This information was provided by *Calgary Rocky View Child and Family Services*.

Appendix C

Information Resources

These organizations are a resource for professionals and communities who are attempting to better understand the issues of abuse and violence. Other excellent resources are the agencies providing services to families affected by domestic violence, including all of the emergency shelters for women and children in Calgary. In addition, every school in Calgary has a complete education manual which addresses issues of peer violence, violence in the home and violence within relationships. The A.S.A.P.: A School-based Anti-Violence Program (1993), from the London Family Court Clinic is an excellent resource for all schools.

Action Committee Against Violence (ACAV)

120 - 13 Ave. S.E. 231-6295

ACAV sponsors the Turn Off the Violence campaign in schools, works with the community to address issues of violence and safety and publishes a Resource Guide and 24-Hour Help Cards (available in multiple languages) which are distributed in hospitals, by the police on domestic calls and many other agencies providing services to families affected by violence.

Calgary Coalition on Family Violence

300, 750 - 11 St. S.W. 266-5059

The Coalition is working to collaboratively facilitate and coordinate improved accessibility of services for abused immigrant women and their families and to identify, address and share information about family violence and cultural diversity.

Calgary Communities Against Sexual Abuse (CCASA)

24 Hour Crisis Line 237-5888
Office 237-6905

Office for the Prevention of Family Violence

(780) 422-5916

This office provides posters, pamphlets, and booklets on all types of abuse. This information is available free of charge.

Violence Information and Education Centre

302, 501 - 18 Ave. S.W. 209-3129

This a resource for professionals working in the field of domestic violence. The services include educational presentations, resource lending library, and information on community resources.

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Calgary Police Service

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Staff Sergeant Al Hargreaves, Sex Crimes
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