

# Child Protection Policy

## INTRODUCTION

It is the policy of Christian Academy in Japan to maintain a school environment free of child abuse/neglect. No CAJ board-contracted staff member, volunteer, or student may engage in any activity at any time constituting child abuse or neglect. CAJ mandated reporters (see below) must report to the headmaster or a principal any suspected child abuse or neglect, both in and out of the school setting.

## DEFINITIONS

Normal, healthy human relationships between adults and children include expressions of proper care. Adults working with children are encouraged to provide a warm, supportive environment. In their physical contact with children, adults will seek to meet the child's normal physical and emotional needs. Supportive nurture is always to be guided by biblical standards of morality, ethics, and prudence.

Child abuse/neglect describes inappropriate, immoral, and/or unethical behavior of an adult toward a CAJ student or a minor under 18 years of age, or of a child toward another child where there is a difference in power based on age, or physical, intellectual, or emotional capacity. It can be perpetrated with or without consent of the victim, can happen in a one-on-one encounter, or in a group setting. However, not all inappropriate behavior constitutes abuse/neglect. In determining whether a particular behavior constitutes child abuse/neglect, the following factors will be considered:

1. *Physical abuse.* Physical injury inflicted by other than accidental means upon a child by another person and includes willful cruelty, unjustifiable punishment, or willful infliction of physical pain.
2. *Physical neglect.* The negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare.
3. *Sexual abuse.* Sexual assault or exploitation of a child.
4. *Emotional mistreatment.* Emotional abuse, deprivation, or neglect of a child. This includes the use of threats, intimidation, acts of injustice or indignity by verbal and/or physical means (contact or non-contact) against a person.

## PREVENTION OF CHILD ABUSE / NEGLECT

1. Screening
  - a. CAJ will not hire staff who have a record of child abuse or harassment, as defined by CAJ policy. The contracting process will include a background check.
  - b. Applicants for board-contracted positions will agree in writing with the terms of this policy, as part of the contracting processes.
  - c. Non-board-contracted parties (including teacher substitutes, non-staff coaches and volunteers who serve regularly) will agree in writing to the terms of this policy. Generally, volunteers will be supervised by a board-contracted staff member and will not be left alone with children.
2. CAJ will foster a climate of belief (i.e., it is possible that child abuse could take place) and "freedom to tell."

3. All board-contracted parties shall:
  - a. Participate in appropriate training annually which will include a review of this policy and indicators of abuse/neglect and appropriate responses.
  - b. Promote a safe, healthy learning environment as they abide by and implement school policy.
4. If a mandated reporter fails to report reasonably suspected child abuse or neglect, s/he will be subject to discipline by CAJ up to, and including, termination.
5. Pertinent information on this policy will be distributed to parents and students.

## **DISCOVERY AND REPORTING**

### **1. Mandated reports**

- a. At CAJ, all board-contracted parties are mandated reporters and must report suspected child abuse or neglect to the headmaster or principals. A mandated reporter shall:
  - 1) Make a report whenever s/he has knowledge of, or observes, a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect
  - 2) Make a report to the headmaster or principal as soon as is practically possible and within 24 hours
  - 3) Prepare and submit a signed, written report thereof within 36 hours of receiving the information concerning the incident.
- b. "Reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect.
- c. The reporting duties under this section are individual and no supervisor, administrator, or board member may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction by CAJ for making a reasonable report.
- d. Reporting the information regarding a case of possible child abuse or neglect to another board-contracted staff member, co-worker, or person other than the headmaster or principals shall not be a substitute for making a mandated report to the headmaster or principals.

### **2. Student reports of child abuse**

Any CAJ student who suffers abuse from a CAJ board-contracted staff member, volunteer, or student, or knows of a situation where it has occurred, is to report to a CAJ mandated reporter, who will call in another mandated reporter to witness the student's information. Having received information, the mandated reporters will then make a report and sign it.

### **3. Contents of reports**

Reports of suspected child abuse or neglect shall include, if known:

- a. The name, address, telephone number, and job title of the mandated reporter

- b. The child's name and address, present location, grade, and birthday
- c. The names, addresses, telephone numbers, birthdays of others living in the home, and occupation(s) of the child's parent(s) or guardian(s)
- d. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source or sources of that information
- e. The name, address, telephone number, and other relevant personal information about the person or persons who might have abused or neglected the child

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him or her.

#### 4. **Protection from liability for erroneous reports**

A mandated reporter or other individual whose report turns out to be false shall not incur liability for reports made in good faith. Liability will not incur unless it is proven that a false report was knowingly submitted or made with "reckless disregard of the truth or falsity of the report."

### **INVESTIGATION**

1. During the reporting and investigation process, care must be exercised to protect the alleged victim(s), the alleged perpetrator(s), and the reporter(s) by restricting information access to those who need and have the authority to know.
2. Principals will forward reports to the headmaster, unless the headmaster is implicated. If the headmaster is implicated, the principal receiving the report will serve in his/her place.
3. Upon receiving a report, as soon as reasonably possible, the headmaster will:
  - a. Contact the board chairman, and if the alleged perpetrator is affiliated with a mission, contact the mission field leader.
  - b. Determine, in consultation with the board chair, who will lead the investigation
    - 1) If the alleged offense took place in the school setting or in school relationships and is of a criminal nature, CAJ will inform Japanese authorities and receive their findings. If it is not of a criminal nature, CAJ will lead the investigation.
    - 2) If the alleged offense took place outside the school setting or outside of school relationships, CAJ will refer the investigation to the related mission or to Japanese authorities, but will continue to confer with those leading the investigation.
    - 3) CAJ will continue to confer with outside parties involved in the investigation of staff or students alleged to have engaged in child abuse or harassment.
  - c. In cases where CAJ leads the investigation, appoint an investigation team, which includes at least the counselor, nurse, and appropriate divisional principal and at least one male and one female CAJ board-contracted party. The team will conduct a prompt, confidential, and thorough investigation to determine whether reasonable grounds exist to believe that abuse has occurred. The team will submit written findings to the headmaster.
  - d. Take appropriate remedial action

- 1) In consultation with the board chair, suspend the service/attendance of the alleged perpetrator(s) for some or all of the investigative period. CAJ employees will be suspended with pay. Alleged perpetrators who are students will not be permitted to attend class, but will not be penalized academically during the investigative process.
  - 2) Take steps immediately to ensure the safety and privacy of the reporting person(s) and the alleged victim(s) and perpetrator(s).
  - 3) Notify the victim's parents as soon as reasonably possible about the allegations and the investigation process.
  - 4) Provide referrals for counseling and referrals for care to alleged victim(s), near victim(s), and perpetrator(s).
- e. Review investigative findings in consultation with the board chair.

## **CONSEQUENCES**

1. If the investigation indicates that reasonable grounds do not exist to believe that abuse has occurred, the headmaster will notify the board chairman of this. If CAJ has led the investigation, a statement of exoneration will be given to CAJ parties wrongly accused of child abuse.
2. If inappropriate behavior is substantiated but does not constitute harassment, abuse, or neglect, the perpetrator will be subject to appropriate disciplinary consequences.
3. If the investigation indicates that reasonable grounds do exist to believe that abuse has occurred, the headmaster will submit a copy of the report to the board chair.
4. The headmaster, board chair, and/or investigative team (if so directed) may consult and/or report to legal counsel and/or Japanese authorities (such as the police and child welfare agency).
5. The headmaster, in consultation with the board chair, shall notify appropriate parties of his/her recommendation to the board regarding the substantiated allegation. The final decision on termination or expulsion shall be made by the board, but it is expected that:
  - a. Board-contracted parties found to have engaged in child abuse/neglect, shall be terminated.
  - b. Non-board-contracted parties (including teacher substitutes, non-staff coaches, and volunteers who serve regularly) found to have engaged in child abuse/neglect shall be prohibited from providing further services for CAJ.
  - c. CAJ students found to have engaged in child abuse/neglect shall be expelled.