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Code of Conduct for Child Protection

As a reputable child serving-organization, with a duty of care, St. James-Assiniboia School Division has developed the following Code of Conduct to guide our employees and volunteers. While every employee/volunteer is valued and unique, we come together as an organization in the best interests of students and their families. The safety, rights and well-being of the students we serve are at the core of our daily operations. We nurture supportive relationships with students while balancing and encouraging appropriate boundaries and healthy relationships.

Employee/volunteer misconduct will not be tolerated, especially as it relates to the well-being of students in the Division's care.

Misconduct refers to inappropriate behaviour and includes, but is not limited to the following. Therefore, Employees/Volunteers must NOT:

- Engage in any activity that goes against our Division's mandate or policies.
- Engage in any activity that puts a child in physical or psychological jeopardy.
- Place a child in danger from anyone, either within or outside of the Division.
- Communicate with a student that goes beyond the employee/volunteer's employment or assigned responsibilities and/or does not occur within the context of employment/volunteer duties and responsibilities. For example:
 - Write personal letters or text messages to a student*.
 - Make personal phone calls to a student*.
- Offer to or accept rides with a student*.
- Spend time with a student outside of designated work/volunteer times and activities, including other paid or outside volunteer activities*.

Note: Sometimes the above starred items might not be considered misconduct if such activity results from a Division or parent/guardian-initiated request and the activity has been disclosed to and approved by the Division in advance. Sometimes this might also be the case, where an emergent one-off situation presents itself and the employee/volunteer makes a decision they believe to be in the best

ADOPTED	REVIEWED	REVISED	PAGE
25/June/19	13/Jan/25	25/Oct/22	1 of 5
11-05-19		20-02-22	

interests of the student and then the actions taken are immediately disclosed to the parent or guardian, as well as to the Division.

- Give gifts to a student. It is not misconduct to give a contextually appropriate thank-you card, birthday card, seasonal card, or other nominal gift to a student, where such a gesture would be considered reasonable in the circumstances; provided that all gestures, taken together, are not excessive in number and any such exchanges are carried out within the workplace, in the presence of others and with the knowledge of the Division and parent or guardian.
- Favour a student, or offer any student “special” treatment that falls outside of the Division’s mandate, or that is not tied to a student’s formalized education plan, or that may (or may appear to) place a student at risk.
- Violate appropriate social-emotional boundaries in an effort to win favour with a student, e.g. making comments about physical attractiveness.
- Use sexual language or innuendo, make any sort of remark or comment or joke to a student that is in any way profane, suggestive, explicit or sexual.
- Show a student sexually explicit or sexist material, signs, cartoons, digital media, calendars, literature, photographs; or display such material in plain view.
- Have personal internet exchanges with a student (email, instant messaging, chatting, social networking, etc.) for reasons that are inconsistent with this policy and/or with the acceptable use of technology, social media and media release policies.
- Take or store pictures of a student for reasons that are inconsistent with this policy and/or with the acceptable use of technology, social media and media release policies. Volunteers should not be taking or storing pictures of students at all unless permission has been obtained in advance.
- Violate appropriate physical boundaries by touching a student that is not in response to meeting the student’s needs, or touch a student in any way that could be considered sexual in nature.
- Enter into a romantic relationship with a student, or recent graduate, regardless of whether or not the student is 18.

Employees/volunteers must:

- Complete all required training as directed by the Division including additional training required for all coaches.
- Adhere to the Division’s policies and procedures in dealing with students at all times.
- Treat students with respect and dignity in all interactions.
- Treat all allegations or suspicions of misconduct or abuse seriously.

ADOPTED	REVIEWED	REVISED	PAGE
25/June/19	13/Jan/25	25/Oct/22	2 of 5
11-05-19		20-02-22	

- Follow established procedures when reporting any allegations of misconduct, abuse or potential policy violations.
- Establish, respect, and maintain appropriate boundaries with all students.
- Seek permission in advance to engage in any activity with Division students not specifically covered by assigned duties and responsibilities including those not listed in the Conflict of Interest policy, e.g. babysitting, hiring a student for any personal reason, performing respite for a Division student; or when transporting students, or when performing any of the above-starred activities. Student interactions should not be kept secret; rather they should be transparent and meet the needs of the student rather than the needs of the employee/volunteer.
- Ensure that their behaviour is appropriate and would not raise concerns in the mind of a reasonable observer, or family or community member. In this regard, doors should be left open and unlocked, and/or windows or blinds left open wherever possible and time spent one-on-one with a student should be known to and approved by the Division and parent or guardian in advance.
- Ensure that their behaviour could not reasonably be regarded as posing a risk to the personal integrity or security of a student, or contribute to a student's discomfort.
- Ensure that their behaviour could not negatively impact the Division's reputation as being a reputable, child-serving organization.
- Adhere to the "rule of two", having two adults present, during the course of all one-on-one interactions with students outside of the school day for example: homework help after school; activities requiring a chaperone; etc. In situations where that is not practical or feasible, planning should address alternative measures to improve safety such as having another young person present, meeting in a public space; leaving doors open; etc.
- Be mindful that while human trafficking and child sexual exploitation occur in every community and across every socio-economic strata, members of racialized communities including Indigenous and newcomer communities as well as students who are 2SLGBTQ+, homeless and/or youth-in-care are generally at greater risk of victimization from trafficking and sexual exploitation.

Reporting Procedure:

The Division's first responsibility is to the well-being of the students in our care. As such, any reasonable suspicion of an employee/volunteer's behaviour towards a student that contravenes this code must be reported to the employee/volunteer's immediate supervisor as soon as it is known. Employees should not conduct their

ADOPTED	REVIEWED	REVISED	PAGE
25/June/19	13/Jan/25	25/Oct/22	3 of 5
11-05-19		20-02-22	

own investigation into allegations or suspicions of misconduct. It is an employee/volunteer's duty to report, not to investigate.

Once an allegation or suspicion of misconduct is reported, the supervisor should, in all cases where they weren't previously aware of the extended access, seek advice from Human Resources staff in determining appropriate next steps in addressing the situation.

Note: Reporting misconduct is part of the Duty to Care required by all Professional employees and is therefore not subject to the MTS Code of Professional Practice regarding reporting any criticism of professional activity to a colleague first. For greater clarity, MTS employees are not obligated to direct any suspicion of misconduct or abuse to another MTS employee first, or even at all; they are obligated to report it to a supervisor.

Also note that reporting information to a supervisor does not absolve the employee/volunteer of their duty to report the information to appropriate law enforcement officials and/or Child and Family Services if the employee/volunteer believes the student's welfare may be at risk, and/or the student has expressed that they are concerned about their welfare.

Failure to adhere to the Code of Conduct by any employee/volunteer will result in an investigation and disciplinary action if necessary. Appropriate actions will be determined by the Division, and will be based on the nature and severity of the incident.

Further, should an employee notice a student who exhibits signs and symptoms of those involved with human trafficking or sexual exploitation, they are obligated to make a report. If it is believed the child is in immediate danger, they are to call 911, or if it is believed a child is being harmed or neglected, they are to contact Child and Family Services in accordance with Division Policy in this area. While this list is not exhaustive, school-aged victims tend to:

- Demonstrate higher than normal evidence of transiency, or of being moved frequently;
- Demonstrate higher rates of absenteeism;
- Demonstrate reluctance to develop peer relationships;
- Exhibit higher than normal degrees of fear, worry and anxiety, or are easily intimidated;
- Be dressed in age inappropriate clothing or clothing that is inappropriate for the time of year or context;
- Suddenly have expensive items such as clothing, purses, or nail services;

ADOPTED	REVIEWED	REVISED	PAGE
25/June/19	13/Jan/25	25/Oct/22	4 of 5
11-05-19		20-02-22	

- Have branding with tattoos featuring names or symbols;
- Have bruises or other signs of physical abuse including frequent hunger and/or be malnourished;
- Discuss opportunities or jobs in other jurisdictions;
- Carry a cell phone, make regular calls during school hours, or be secretive or fearful regarding phone and internet or electronic device storage; or
- Begin spending more time on-line, hide screens, discuss interacting with on-line friends, or disclose in-person meetings with on-line contacts.

ADOPTED	REVIEWED	REVISED	PAGE
25/June/19	13/Jan/25	25/Oct/22	5 of 5
11-05-19		20-02-22	