

# ASSOCIATION OF NICARAGUA CHRISTIAN ACADEMY

## CHILD PROTECTION POLICY FOR PARENTS AND STUDENTS



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### TABLE OF CONTENTS

<b>Chapter 1. Abuse: Categories and Definitions .....</b>	<b>2</b>
1.1 Neglect.....	2
1.2 Physical Abuse.....	2
1.3 Emotional Abuse .....	2
1.4 Sexual Abuse.....	3
<b>Chapter 2. Responsibilities of NCA Schools.....</b>	<b>3</b>
<b>Chapter 3. Responsibilities of NCA Staff and Volunteers .....</b>	<b>4</b>
3.1 General Responsibilities.....	4
3.2 Reporting Incidents .....	5
3.3 Classroom Environments and Safety.....	5
3.4 Care with Special Needs Students .....	5
<b>Chapter 4. Responsibilities of NCA Parents/Guardians .....</b>	<b>5</b>
4.1 General Responsibilities.....	5
4.2 Training.....	5
4.3 Reporting.....	5
<b>Chapters 5-7. Summary of Investigative Processes.....</b>	<b>5</b>
<b>Appendix A: Relevant Laws and Entities .....</b>	<b>5</b>
<b>Appendix B: Statement of Commitment to Child Protection Policy: NCA Association Schools.....</b>	<b>7</b>
<b>Appendix C: Statement of Commitment to Child Protection Policy: Teachers, Staff and Volunteers.....</b>	<b>8</b>
<b>Appendix D: Statement of Commitment to Child Protection Policy: Parents and Guardians.....</b>	<b>8</b>

# CHAPTER 1. ABUSE: CATEGORIES AND DEFINITIONS

All school personnel and volunteers should be familiar with the signs and behaviors that may be indicative of child abuse. Child abuse can be categorized into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

## 1.1 NEGLECT

Is when a child suffers significant harm or impairment of development because he or she is deprived of food, clothing, hygiene, supervision, education, safety, affection from adults, or medical care.

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. For example, a child who suffers a series of minor injuries may not be having his or her needs met in terms of supervision and safety. A child whose height or weight is significantly below average may be being deprived of adequate nutrition. A child who consistently misses school may be being deprived of intellectual stimulation. The threshold of significant harm is reached when the child's needs are neglected to the extent that his or her wellbeing and/or development are severely affected.

## 1.2 PHYSICAL ABUSE

Is that which results in actual or potential physical harm caused by another person. This can be a single event or series of events, including (but not limited to) the following:

- severe physical punishment resulting in injury
- beating
- slapping
- kicking
- pushing/pulling
- shaking
- biting
- suffocation/choking
- burning
- deliberate poisoning
- allowing or creating substantial risk of significant harm to child

Signs and symptoms of physical abuse include bruises, fractures, swollen joints, abrasions, coma, or death. It should be noted that often "accidental bruises," those not the result of physical abuse, usually occur on the part of the body that is close to the bone, commonly found on the chin, forehead, shins, knees, and elbows. Bruises that are the result of abuse are commonly found on the soft tissues, like the cheeks, buttocks, thighs, calves, neck and mouth.

## 1.3 EMOTIONAL ABUSE

Is when a child's developmental need for affection, approval, consistency, and security is not met. This includes (but is not limited to) the following:

- imposition of negative attributes on a child expressed in persistent criticism
- conditional parenting in which the level of care shown is based on the child's behaviors and action
- emotional unavailability of the child's parent or caregiver
- premature imposition of responsibility on a child
- unrealistic or inappropriate expectations
- exposure to violence (domestic or other)
- use of overly harsh disciplinary measures
- manipulation or inappropriate use of authority (including spiritual) to coerce a child to act in an unhealthy manner
- Threaten a child with physical harm

Emotional abuse can be manifested in the child's behavioral, cognitive, affective or physical functioning. Examples of these include insecure attachment, non-organic failure to thrive, unhappiness, low self-esteem, educational

underachievement, and oppositional behavior. The threshold of significant harm is reached when abusive interactions dominate and become typical of the relationship between the child and the parent or caretaker (teacher).

#### **1.4 SEXUAL ABUSE**

Is any sexual act, real or threatened or when a child is used by another for his/her sexual arousal. This can include (but is not limited to) the following:

- exposure of sexual organs or any sexual act intentionally performed in the presence of a child
- intentional touching or molesting a child's body whether directly or with an object
- sexual intercourse with a child (with or without consent)
- inciting or encouraging a child into prostitution
- exposing a child to pornography

It should be noted that in the case of peers, the school must make a distinction between sexual abuse and sexual "experimentation." Both need to be addressed by the school, especially in a Christian context, but "experimentation" does not have elements of domination, control, coercion, or bribery and often involves two children of equal ages, intellect, and power. Again, "experimentation" needs to be discussed with students if discovered or disclosed, but it is not equal to "sexual abuse" and should involve different consequences.

Signs and symptoms of sexual abuse include many of the signs of physical abuse, with the addition of bleeding or bruising around genitalia. Other signs include hinting about sexual activity, age-inappropriate understanding of sex, uncharacteristic sexual play with toys or peers, unusual reluctance to participate in activities that involve undressing (like changing for swimming or gym class), and acting withdrawn.

## **CHAPTER 2. RESPONSIBILITIES OF NCA SCHOOLS**

### **2.1 GENERAL RESPONSIBILITY**

The Association of NCA schools exists as an advocate for children and adolescents, helping them to be free from spiritual, economic, social and physical poverty in Jesus' name, and enabling them to become mature, responsible Christians who are able to live the abundant life that God intended for them. We recognize the unique value of children and adolescents as being created in the image and likeness of God. They are God's creation and should be protected from all forms of physical and psychological violence, neglect, abuse or exploitation.

### **2.2 DESIGNATED LIAISON PERSON (DLP)**

Each school is responsible for designating a **DLP**, or Designated Liaison Person. This person is the point person for receiving initial reports of suspected abuse from students, teachers, or parents. If applicable in a case, this person is also responsible for acting as the liaison between NCA and the government office to which NCA is reporting the abuse. The **DLP** is to receive all reports of suspected abuse provided by any staff member, parent, or student. The suggested person to serve as the **DLP** is the principal whose title is connected to the student in the case. For example, if the student is in third grade, the **DLP** would be the elementary principal. In the case that the **DLP** is unavailable or suspected in the case, the Deputy **DLP** would be the director of the school. The actions to be taken by the **DLP** are outlined in Chapters 5-7.

### **2.3 NCA ASSOCIATION BOARD RESPONSIBILITY**

The NCA Association Board is responsible for receiving all reports of abuse cases, whether dismissed or pursued. If the Board has questions regarding a case, they are to reopen the case with the **DLP** and pursue those questions immediately. The NCA Association Board is also responsible for reviewing the Child Protection Policy annually.

### **2.4 HIRING PROCESS**

NCA is responsible for hiring only those staff members who have submitted a clean police record. For international hires, NCA will utilize a third party background check. The interview process for staff and volunteers should attempt to ascertain not only technical capabilities, but also get an understanding of the candidate's moral, ethical, and character qualities. All references will be checked to ensure a full understanding of the candidate's integrity. All candidates must sign the Child Protection Policy before being hired and then annually thereafter.

## **2.5 STAFF TRAINING**

NCA is responsible for training all of its staff members and volunteers in the recognition of child abuse and neglect and the process for reporting child abuse and neglect. The administration of each NCA school, particularly the school counselor, is responsible for training staff and volunteers in the recognition of abuse and neglect, as outlined in Chapter 1. Additionally, all staff members and volunteers must be trained in how to receive reports of abuse, outlined further in Appendix B. New teachers must undergo the full training during new teacher orientation and veteran teachers must undergo a “booster” training during the year. The **DLP** is responsible for reporting to the NCA Association Board on this training, including content covered and attendees. ALL teachers are required to sign the *Statement of Commitment to Child Protection Policy* annually, found in Appendix C.

## **2.6 PARENT/GUARDIAN TRAINING**

NCA is responsible for training all parents and guardians in this policy. Upon enrollment and later periodically, all parents must attend a child abuse and neglect workshop led by the school counselor. This workshop should discuss biblical foundations, the school’s commitment to comply with Nicaraguan law, the responsibility of protecting the school community, the recognition and definitions of child abuse and neglect, and the process of reporting child abuse and neglect to the NCA schools utilizing the appropriate form. After training, parents must sign the *Parent Statement of Commitment to Child Protection Policy*, found in Appendix D.

## **2.7 STUDENT TRAINING**

NCA is responsible for educating students at an appropriate level for their age, under biblical principles, on positive interpersonal relationships, which are opposed to abuse and neglect. At least once a semester, students will have the opportunity to learn more about the subject through in-class discussions, murals, chapels, and/or other activities.

## **2.8 IMMEDIATE RESPONSE**

NCA will take immediate action regarding reports of child abuse. All cases will be investigated within 24 hours of receiving the report (immediately if the suspected abuse is severe or of any sexual nature) and if necessary, must be reported immediately to the proper governing authority, in accordance with Nicaraguan law.

## **2.9 RECORD KEEPING**

NCA will keep all records involving cases of suspected abuse or neglect. All records will be regarded as highly confidential and kept in a secure location by the **DLP**.

## **2.10 VISITOR SECURITY**

Security staff procedures will include continual supervision of visitors, contractors and distributors to guarantee that they stay in the authorized areas. Temporary workers such as construction workers, substitutes and others will receive strict instructions in regards to areas where they may have access. Parents/guardians must also comply with the policies established by each NCA school when they visit or serve as volunteers during school hours.

## **2.11 BUILDING AND INFRASTRUCTURE DESIGN**

All buildings and infrastructure will be built in order to avoid situations of risk or suspicion of abuse and other dangerous situations. The facilities must allow student restricted access to areas that present danger or do not allow visibility. All offices and classrooms must have enough windows to allow the necessary visibility to protect occupants. Areas that are isolated or have restricted access should be locked at all times that they are not being accessed by authorized personnel. Separate restrooms must be constructed for students and staff.

## **2.12 MEDIA**

In every NCA school the director (or deputy) is the only person authorized to deal with the media in cases regarding suspicion of abuse and neglect. This media front person will maintain confidentiality in all cases, while informing the media about then policies and procedures of the school and guide the investigation.

# **CHAPTER 3. RESPONSIBILITIES OF NCA STAFF AND VOLUNTEERS**

## **3.1 GENERAL RESPONSIBILITIES**

School staff must be trained to observe the changes in child behavior, the deficiencies in development, and the external signs of abuse. It is the responsibility of the staff to be aware of the signs and promote an environment of confidence so that students feel comfortable and invited to trust their teachers.

### **3.2 REPORTING INCIDENTS**

In situations where school personnel suspect that a child may have been, is, or is at risk of being abused or neglected, they shall ensure that such concerns are reported immediately to the **DLP** in accordance with the established procedures.

### **3.3 CLASSROOM ENVIRONMENTS AND SAFETY**

Teachers are responsible for creating an atmosphere of safety in and out of their classroom. Students should always be under the direct or shared supervision of staff. Teachers will also take care, when possible, to not be alone with students behind closed doors and windows. If privacy is needed due to a student's request, a teacher could consider asking another person to join the conversation. If that is not possible, windows should remain open and a desk (or the distance of a desk) should be between the student and teacher. Adults should not use student restrooms, and students should use their designated restrooms, with the exception of specific authorization and supervision.

### **3.4 CARE WITH SPECIAL NEEDS STUDENTS**

Research suggests that children with a disability are more vulnerable to significant harm from physical, sexual, emotional abuse and/or neglect than children who do not have a disability. Particular care must be taken for these children, and particular attention paid to warning signs of abuse. If there is suspicion of abuse, a written report must be filled out immediately. If communication is difficult, a teacher must know how to access suitable interpreters or facilitators, as the child's perception of events and his or her wishes are critical to the investigation. Teachers working with disabled students must follow guidelines and training for dealing with intimate care and physical needs.

## **CHAPTER 4. RESPONSIBILITIES OF NCA PARENTS/GUARDIANS**

### **4.1 GENERAL RESPONSIBILITIES**

Parents and guardians hold the utmost responsibility for their child's moral, physical, and spiritual development. They are most aware of changes in a child's behavior and development and should work to hold the trust of their children.

### **4.2 TRAINING**

Upon entering NCA and periodically thereafter, parents and guardians must participate in the child protection workshop led by the school counselor regarding child protection. Parent must sign the *Parent Statement of Commitment to Child Protection Policy*.

### **4.3 REPORTING**

Parents must report suspicions of abuse and neglect to the **DLP** assigned to their student. They must follow school procedure regarding reports and maintain confidentiality and integrity in the process.

Failure to report or reporting malicious, false allegations may result in temporary or permanent expulsion of the student.

## **CHAPTERS 5-7. SUMMARY OF INVESTIGATIVE PROCESSES**

These chapters provides specific guidelines and procedures for the school administration and the Investigative Team (**IT**) in situations where an allegation of abuse or neglect is made against a school employee (chapter 5), parents or others in the family setting (chapter 6), or other students (chapter 7). The specifics of these procedures are not included here in order to protect the process and victims from abusers who may study them in order to find ways to circumvent detection. However, the general procedural steps are listed below:

### **PROCEDURAL STEPS**

1. Initial report of suspicion taken by any teacher, staff member or Designated Liaison Person (**DLP**).
2. Initial report of suspicion sent to Investigative Team.
3. **IT** begins investigation within 24 hours (reviews report and interviews all people involved).
4. **IT** determines the validity of the allegations.
5. **IT** informs appropriate people of their conclusions, including MINED, Comisaria de la Mujer y Niñez, and MiFamilia when necessary.
6. **IT**, in consultation with appropriate people, establishes whatever follow-up processes or procedures must be completed in order to bring complete resolution to the situation.

## **APPENDIX A: RELEVANT LAWS AND ENTITIES**

The two primary laws in Nicaragua that govern school policies and procedures regarding situations of neglect or abuse are the *Código de la Niñez y la Adolescencia* (Ley No. 287) and the *Acuerdo Ministerial No. 217-2006*. The most relevant portions are included below.

### **ARTICLE 48 – CÓDIGO DE LA NIÑEZ Y LA ADOLESCENCIA**

Education center directors, have the obligation, upon first incident, to report to the mother, father, or guardian cases of abuse, rape or sexual abuse, repeated unjustified absences, school evasion, use, abuse, consumption and dependency of psychotropic substances, elevated levels of class failure and other cases that require additional support for the student.

In cases of repeated or severe offense, they are obligated to inform or report to the corresponding organization or authority.

### **ARTICLE 85 – CÓDIGO DE LA NIÑEZ Y LA ADOLESCENCIA**

Persons who through action or omission commit abuse, physical, psychological, or sexual violence or abuse, will be subject to the legal sanctions established by the law.

The corresponding administrative authority will take the necessary measures to protect and rescue children when their physical, psychological or moral integrity is in danger. They can count on the support of the police, who should respond without the need of a court order.

### **ARTICLE 220 – CÓDIGO DE LA NIÑEZ Y LA ADOLESCENCIA**

All doctors, teachers, and person responsible for an institution of health, primary education, pre-school, child development center, who do not communicate with the corresponding authority in regards to cases that are brought to their attention or in which they suspect abuse has been committed towards a child, will be sanctioned with a fine equivalent to one month's salary and will be considered accessories to the crime.

### **NORM I-3 – ACUERDO MINISTERIAL NO. 217-2006 (MINISTRY OF EDUCATION)**

If the Director of a school does not denounce, with or without the authorization of the family responsible for the child, they will be held responsible in accordance with Article 85 and 220 of the *Código de la Niñez y Adolescencia*, proceeding to administrative sanction by the Ministry of Education, Culture and Sport, for omitting their responsibility to report, without regard to the corresponding legal action.

### **MINISTERIO DE EDUCACIÓN (MINISTRY OF EDUCATION)**

All abuse cases handled by the school must be reported to the corresponding Municipal Delegate and MINED Private School Superintendent.

### **COMISARIA DE LA MUJER Y NIÑEZ (COMMISSION FOR WOMEN AND CHILDREN)**

This is the primary authority in Nicaragua to handle legal matters related to abuse. Reporting is required for serious first-time incidents and all repeat incidents.

### **MINISTERIO DE LA FAMILIA (MI FAMILIA / MINISTRY OF THE FAMILY)**

This is the primary authority in Nicaragua that provides child protection services. Reporting is required in cases where a student would be in danger at home.

## **APPENDIX B: STATEMENT OF COMMITMENT TO CHILD PROTECTION POLICY: NCA ASSOCIATION SCHOOLS**

The Association of Nicaragua Christian Academy Schools is committed to the development of measures for the protection of children and adolescents, performing a labor of love for them, and being faithful to what God's Word tells us:

*Speak up for those who cannot speak for themselves,  
for the rights of all who are destitute.  
Speak up and judge fairly;  
defend the rights of the poor and needy.*  
Proverbs 31:8-9

We recognize the unique value of children and adolescents being created in the image and likeness of God. They are God's creation and should be protected from all forms of physical and psychological violence, neglect, abuse or exploitation. Based on these principles:

### **WE AGREE TO:**

1. Provide love for all children and adolescents, without discrimination, maintaining an atmosphere of respect in the promotion of their rights and duties on the basis of the biblical mandate related to our responsibility to care for the poor and helpless.
2. Support children with prayer.
3. Have policies, standards and guidelines of advocacy, protection and prevention against all forms of abuse and violence that may occur to children and adolescents.
4. Know and respect national and international law on the protection and rights of children and adolescents.
5. Perform a careful selection of staff and volunteers, hiring those people with a proven history of serving and loving children.
6. Ensure that all staff sign and comply with the Child Protection Policy; that every child, for whom we are responsible, be treated with respect, dignity and integrity by the staff members and volunteers.
7. Educating children about their rights and duties. Teaching them to identify acceptable and unacceptable behavior from an adult and where they can turn for help if they were victims of abuse.
8. Having a specific plan of action regarding abuse, which will include prevention, care to victims of abuse as well as family support for the alleged offender and the legal process of the perpetrators.
9. Respond quickly and appropriately to allegations of abuse. Place in view of all the contact information to report abuses against children and adolescents.
10. Appoint a **DLP** who will assume responsibility for the protection of children and adolescents. This person will be responsible for coordinating activities and mobilization of resources for training, advocacy, prevention and management of allegations of abuse. The training will be aimed at all staff, parents and guardians, and children.
11. Maintain vigilance and advocacy to other parties that show attitudes of abuse of children and adolescents, promoting the following:
  - a) Reporting to the **DLP** any incident involving some form of abuse or improper connection to a child or teenager.
  - b) Save the due discretion and confidentiality to protect the dignity of children and adolescents who have suffered some form of abuse.
12. Review and revise our policy annually.

## **APPENDIX C: STATEMENT OF COMMITMENT TO CHILD PROTECTION POLICY: TEACHERS, STAFF AND VOLUNTEERS**

The Association of Nicaragua Christian Academy Schools is committed to the development of measures for the protection of children and adolescents, performing a labor of love for them, and being faithful to what God's Word tells us:

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We recognize the unique value of children and adolescents being created in the image and likeness of God. They are God's creation and should be protected from all forms of physical and psychological violence, neglect, abuse or exploitation. Based on these principles:

I AGREE TO:

1. Provide love for all children in my care.
2. Support children with prayer.
3. Take notice of the children in my care with an eye to their spiritual, physical and emotional well-being.
4. Review the child protection policy annually.
5. Abide by all the procedures in the child protection policy.
6. Create an atmosphere of trust and empathy in my classrooms or area of work.
7. Respond quickly and appropriately to allegations of abuse.
8. Report all allegations of abuse to the **DLP**.
9. Voice any concerns or questions I have about the child protection policy.

## **APPENDIX D: STATEMENT OF COMMITMENT TO CHILD PROTECTION POLICY: PARENTS AND GUARDIANS**

The Association of Nicaragua Christian Academy Schools is committed to the development of measures for the protection of children and adolescents, performing a labor of love for them, and being faithful to what God's Word tells us:

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We recognize the unique value of children and adolescents being created in the image and likeness of God. They are God's creation and should be protected from all forms of physical and psychological violence, neglect, abuse or exploitation. Based on these principles:

I AGREE TO:

1. Provide love for all children in my care.
2. Support children with prayer.
3. Take notice of children in my care with an eye to their spiritual, physical, and emotional well-being.
4. Attend the orientation for new parents regarding the child protection policy and sign the child protection policy agreement annually.
5. Abide by all the procedures in the child protection policy.
6. Voice questions or concerns about the child protection policy to the Designated Liaison Person at my student's school.