

MST Student Protection Policy



OVERVIEW

At MST we are committed to safeguarding the wellbeing of our students and staff. We view student protection as a paramount moral obligation as well as a legal duty.

According to the World Health Organization, child abuse constitutes “all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.” Research shows that child abuse occurs in all racial, ethnic and socioeconomic sectors of society, and that 90% of abuse is from domestic causes and committed by individuals known to the child. Isolation is a common characteristic of abusive situations, and so we must be sensitive to the vulnerability of international school families who tend to move often and are often separated from their extended families and usual support networks.

This document outlines policies, procedures and guidelines to prevent and protect students from harassment or abuse and to respond promptly and effectively should abuse be observed, suspected or disclosed. This includes any alleged abuse of MST students by adults within or outside of our school community. It also includes rules and advice intended to prevent situations in which student abuse by MST employees could occur or be suspected. Policies relating to peer-to-peer conflict of bullying, health and safety, and security are covered separately in the faculty and parent handbooks.

ACKNOWLEDGEMENT

In developing this policy and guidelines we consulted with other international schools and educational organizations, as well as drawing on the online resources of various state and national government bodies. We would like to acknowledge in particular the American School in Japan and the Yokohama International School, and thank them for allowing us to incorporate some of the text from their student protection handbooks in this document.

DEFINITION OF TERMS

Physical Abuse refers to physical injury inflicted other than by accidental means upon a child, such as by willful cruelty, threat or infliction of pain.

Sexual Abuse includes any sexual advance, assault, battery or exploitation of a child. Sexual abuse includes unwelcome sexual advances, requests for sexual favors, and/or other inappropriate verbal, written, or physical conduct of a sexual nature.

Emotional Abuse is any threat, intimidation, act of injustice or indignity toward a child by verbal or physical means.

Physical or Emotional Neglect refers to the failure of a duty of care or concern toward a child that leads to emotional or physical concerns.

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SIGNS AND SYMPTOMS OF ABUSE

Physical abuse may involve hitting, punching, shaking, throwing, poisoning, biting, burning/scalding, drowning, suffocating or otherwise causing intentional physical harm to a child. (These symptoms could also indicate harm to self, such as cutting and suicide ideation). Signs of physical abuse may include the following:

- Bruises, burns, sprains, dislocations, bites, cuts
- Improbable excuses given to explain injuries
- Injuries which have not received medical attention
- Injuries to the body in places that aren't normally exposed to falls, etc.
- Repeated urinary infections or unexplained stomach pains
- Refusal to discuss injuries
- Withdrawal from physical contact
- Arms and legs kept covered in hot weather
- Fear of returning home or of parents being contacted
- Showing wariness or distrust of adults
- Self-destructive tendencies
- Being aggressive towards others
- Being very passive and compliant
- Chronic running away

Emotional abuse is the persistent emotional ill-treatment of a child so as to cause severe and adverse effects on a child's emotional development. It may involve: conveying to children that they are worthless or unloved; that they are inadequate or valued only insofar as they meet the needs of another person; age or developmentally inappropriate expectations being imposed on children; causing children frequently to feel frightened; or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may also occur alone.

Signs of emotional abuse may include the following:

- Physical, mental and emotional development is delayed
- Highly anxious
- Showing delayed speech or sudden speech disorder
- Fear of new situations
- Low self-esteem
- Inappropriate emotional responses to painful situations
- Extremes of passivity or aggression
- Drug or alcohol abuse
- Chronic running away
- Compulsive stealing
- Obsessions or phobias
- Considerable weight loss/gain
- Sudden under-achievement or lack of concentration
- Attention-seeking behavior
- Persistent tiredness
- Lying

Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. Activities may involve physical contact, including penetrative (i.e. rape) or non-penetrative acts. They may include non-contact activities, such as involving children in the production or viewing of pornographic material or encouraging children to behave in sexually

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inappropriate ways. Children involved in commercial sex work are victims of sexual abuse, whether they perceive themselves as victims or not. Signs of sexual abuse may include the following:

- Pain or irritation to the genital area
- Vaginal or penile discharge
- Difficulty with urination
- Infection, bleeding
- Sexually transmitted disease (STD)
- Fear of people or places
- Regressive behaviors, bed wetting or stranger anxiety
- Excessive masturbation
- Sexually provocative behavior
- Stomach pains or discomfort walking or sitting
- Being unusually quiet and withdrawn or unusually aggressive
- Suffering from what seem physical ailments that can't be explained medically
- Showing fear or distrust of a particular adult
- Mentioning receiving special attention from an adult or a new "secret" friendship with an adult
- Refusal to continue with school or usual social activities
- Age inappropriate sexualized behavior or language

In addition to knowing the signs of victimization, below are some early warning signs to look out for in potential offenders who may be 'grooming' a child i.e. engaging in predatory conduct to prepare a child for sexual abuse at a later time:

- Having a "favorite" student
- Attempting to find ways to be alone with children
- Using inappropriate language, jokes and discussions with children or sexualized talk in the presence of students
- Making close physical contacts sexual, such as inappropriate tickling or wrestling
- Giving gifts or special attention to a child, their parent, or carer (this can make a child feel special or indebted to an adult)
- Having private chats with children online
- Controlling a child through threats, force, or use of authority (this can make a child fearful to report unwanted behaviour)
- Openly or pretending to accidentally expose the victim to nudity, sexual material or acts (this in itself is classified as child sexual abuse but can also be a precursor to physical sexual assault).

PROHIBITION OF ABUSE AND REPORTING OBLIGATION

MST employees are prohibited from engaging in any activity constituting harassment, intimidation or abuse of any student, and are likewise obligated to report to the designated Child Protection Officer (CPO) any suspected case of such behaviors by other individuals, either in or out of school. These abusive behaviors include any physical, sexual or emotional maltreatment or neglect of a student.

In addition to MST employees, the school also takes measures to ensure that outside contractors or volunteers who act in a teaching or supervisory role with students are made aware of and follow this policy and guidelines. Specifically, all outside substitute teachers, coaches and activity supervisors are required to sign the Student Protection Agreement prior to engaging in any class or activity with students.

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Discovery and Reporting of Suspected Abuse

MST employees are obligated to immediately report to a member of the Leadership Team any incident of abuse of a student that they observe, is reported to them, or that they reasonably suspect. Although in urgent situations the employee may initially report verbally to the senior administrator, as soon as practicable he/she should also fill in and submit a written Student Protection Incident Report (see p.8). Any report of suspected abuse or neglect will be treated seriously and in confidence, and employees will not be subject to any negative consequence for raising concerns in good faith. Disciplinary action may be taken against any employee who knowingly or from a spirit of malice makes false accusations.

MST has an obligation to be aware of and follow Japanese laws and reporting procedures if the school becomes aware of possible student abuse. The Child Guidance Center (CGC) and the Japanese police are the legal authorities that receive reports and investigate potential student abuse cases.

If the source of abuse is suspected to be a parent or guardian, the MST Leadership Team will consult and inform local child protection authorities as required by law, pursuant to Article 5 of the Child Abuse Prevention Act. In the case of any credible reported allegation of student abuse by an MST employee, the Head of School, in consultation with the Leadership Team and/or School Counselor as appropriate, will inform parents or guardians.

Advice to Staff Regarding Student Disclosure of Abuse

School personnel should understand and know how to respond appropriately to disclosures from students, knowing that it is often very difficult for students to disclose or talk about abuse. For example, they may:

- Try to “forget in order to cope.”
- Worry they will lose the love of their parents or friends.
- Fear the shame of abuse or getting in trouble for telling (especially older children).
- Fear they will be blamed as adults tend to be believed more than children.
- Be under threat by the offender to harm them or their family.

Understanding these fears of disclosure will help you in your response. Assure them that they are not to blame for the abuse. If a student asks to speak with you, find a neutral setting where you can have quiet discussion and few interruptions. Determine what happened, where, when and who.

Do not let the student swear you to secrecy, lead the student in telling (let the student explain in his/her own words); pressure the student for a great amount of detail, make judgmental remarks about the alleged abuser, or tell the student that things will get better. Do not confront the alleged abuser.

Respect the student’s confidence; share with a Counselor or member of the Leadership Team but limit information to other staff. Explain to the student that you must tell someone else to get help and why.

If the student does not want to go home, this should be considered an emergency. Report to a Counselor or member of the Leadership Team immediately.

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Investigation of Reported Abuse

Upon receipt of a report of suspected abuse, the CPO in consultation with the Head of School and others as appropriate will decide as soon as possible if there is reasonable cause to investigate the alleged abuse. If s/he determines there is no reasonable cause to believe that abuse may have occurred, no further investigation will be pursued. However, the Head of School or senior administrator may follow up with the student, parents and the reporting adult as appropriate, and the Student Protection Incident Report will be maintained in the school files.

If it is determined that reasonable cause for further investigation does exist, the Head of School will be informed and a Case Management Team (CMT) will be assembled immediately led by the CPO and comprising the Head of School, along with members of staff whose involvement is deemed necessary and/or appropriate given the particular circumstances of each case. Such members may include the Assistant Head of School, School Nurse, Level Coordinator or Level Lead, and Class Teacher, for instance. The primary roles of the CMT are to support the student and to conduct a prompt, confidential and thorough investigation of the incident. As part of this process, the CMT is also charged with liaising with parents, consulting with outside authorities and following up with the reporting adult as appropriate.

Alleged Abuse by Family Member/Guardian or Other Non-MST Individual

If it is determined that the alleged abuse may involve a student's parent, guardian or other family member, the case will be referred to the appropriate CGC, which will give advice on the action to be taken and if necessary be responsible for further investigation and taking appropriate actions outside the school. The CMT may also consult with other authorities, consular/embassy officials or employers as appropriate. In the case of suspected abuse by individuals who are neither a family member/guardian nor an MST employee or contractor, parents will be notified and the incident may also be reported to a CGC and/or police authorities for investigation and follow-up actions as appropriate.

Alleged Abuse by MST Employee

In the case of alleged abuse by an MST employee or contractor, the individual who is accused of abusing a student will immediately be removed from contact with students and the allegation will be quickly and thoroughly investigated. The Head of School will appoint the CMT. If the alleged abuse involves the Head of School, it should be reported to the Assistant Head of School who will determine who will lead and participate in the investigation.

The CMT should include at least three members and has the same roles as described above. Other than as required to investigate allegations or fulfill legal obligations, care must be given to protect the alleged victim(s), the alleged perpetrator(s), and the reporter of the allegation by restricting information access to those who need and have the authority to know. The CMT will prepare a written report of its investigation to be submitted to the Head of School.

Upon receipt of the CMT's investigation report, the Head of School will take appropriate remedial action including, but not limited to, the following.

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If the allegation is deemed credible:

- Take steps immediately to ensure the safety and privacy of the reporting person and the alleged victim and perpetrator.
- Suspend the alleged perpetrator for some or all of the investigative period. In accordance with labor regulations, such suspension will be with full pay and benefits.
- Ensure the victim's parents are notified as soon as reasonably possible about the allegations and the investigation process.
- If a violation of the law is suspected and the decision is made by the CMT to refer the alleged perpetrator to local police or other appropriate legal authorities, the school will cooperate fully with any subsequent external investigation as required by law.

If the allegation is not deemed credible:

- Notify the alleged perpetrator and victim's parents as soon as reasonably possible about the findings of the report and reasons for determining that the allegation is not credible.
- Notify the reporting person about the findings of the report and reasons for determining that the allegation is not credible. If it is determined that the reporting person knowingly or out of a spirit of malice made a false allegation, the Head of School will take appropriate disciplinary action.

Consequences:

An MST employee who is proven to have violated any of these regulations will be subject to disciplinary action ranging from a written warning, suspension, or immediate termination depending on the circumstances. The Head of School will determine the disciplinary consequence(s), or the Assistant Head of School in the event that the Head is to be disciplined. If inappropriate behavior is found to have occurred, but not at a level that constitutes abuse, the perpetrator will be subject to appropriate disciplinary action as determined by the Head of School.

PREVENTION OF STUDENT ABUSE

It goes without saying that MST will not hire employees who have a known record of abusive behavior. Multiple reference checks via Zoom or phone only are conducted as part of the hiring process for all employees. Where practicable, MST engages an independent third party to conduct a check verifying a candidate's identity, global sanctions, and/or criminal record. Further, applicants for MST positions must agree in writing with the terms of this policy as part of the contracting process. It should be noted that the provision of a false statement or false documentation is punishable by law.

In addition to this policy and guidelines to address the prevention, reporting and investigation of student abuse, abuse prevention and awareness training is provided to MST faculty and staff. We endeavor to make sure that outside contractors or volunteers who act in a teaching or supervisory role with students are made aware of the document and follow these guidelines.

Avoiding Problematic Situations

The following guidelines for MST employees are intended to prevent situations in which student abuse or the suspicion of such abuse might occur.

- MST employees should not use phone calls, texting, social media, emails, or similar technology to have one-on-one private communication with students for non-school-related matters. Any one-on-one emails that are school-related must also cc or bcc the student's class group email (i.e. willow@ or eucalyptus@).

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- MST employees should not socialize with students off campus without knowledge and approval of the student's parents or guardian, and never on a one-to-one basis with an individual student.
- If an MST student other than an MST employee's own child or child under the employee's legal guardianship is living in an employee's home or staying overnight for an extended period of time, the Head of School should be notified.
- MST employees should not smoke, vape, or use tobacco or nicotine products, or be intoxicated under the influence of alcohol or other substances at any time while in the presence of students.
- School-sponsored trips should have at least two chaperones for overnight trips and strive to have female and male chaperones when both girls and boys are on the trip.
- For overnight trips (such as Elementary Camps), MST employees will sleep in separate rooms designated for staff-use only. They should avoid being alone on a one-to-one basis with an individual student, particularly at night time, unless in the case that a student seeks out help from a teacher due to illness, injury or homesickness, for example.
- MST employees should not shower or bathe or be disrobed with students. Where possible there should be more than one adult present. The employee may for supervisory or safety purposes enter locker/changing rooms or bathing areas where students are present, and if possible tell another adult that s/he is going to check on the students in the bathing/changing area.
- In general, the door should be left open whenever an MST employee is alone in a room with a student for any longer than a few minutes. There may be cases when this is not practical (e.g., Middle School advisory meetings between a teacher and student, when being attended to by the School Nurse for an injury, counseling sessions with school counselors, one-to-one music lessons, etc.), in which case the teacher should inform another adult that s/he will be meeting individually with the student. If an employee is alone with a student in a room, s/he should not sit between the student and the door.

ADDITIONAL RESOURCES

- TELL Counseling Tokyo and Yokohama - <http://www.telljp.com/index.php?/en/counseling/>
- International Mental Health Professionals Japan - <http://www.imhpi.org/>
- Minato Children and Families Support Center Abuse Report Line: 03-6400-0092
Open Mon, Wed, Fri, Sat: 9am to 5pm; Tue, Thurs 9am to 7pm.
When closed, call Child Guidance Office: 189

NB The appropriate Child Guidance Center is the one in which the child resides, as opposed to the one in which the School is located. So it may not always be Minato-ku.

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FORM - STUDENT PROTECTION INCIDENT REPORT

To be submitted to a member of the Leadership Team as soon as possible after knowledge or suspicion of abuse or neglect. Use back of sheet or additional sheet if more space is required.

Reporting Person

Name: _____

Date and time I became aware of the situation: _____

Alleged Victim(s) of Abuse or Neglect

Name: _____ Class: _____

Gender: _____ Date of Birth (if known) (dd/mm/year): _____

Incident: Information giving rise to reasonable suspicion or concern (include date, time, location of incident, any physical evidence such as letters/taped phone conversations and/or direct quotes from victim/perpetrator (use back of form for additional information).

Alleged Perpetrator(s): Information concerning individual(s) who might have abused or neglected the child or who might be involved in the situation

Name: _____

Relation to Alleged Victim(s): _____

MST Employee: _____

Other pertinent information:

Date: _____

Signature of Reporter: _____

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FORM - MST STUDENT PROTECTION AGREEMENT

To be signed by any employee, contractor or volunteer who is teaching or supervising students.

I have read the MST Student Protection Policy and Guidelines and promise to follow the guidelines therein and abide by the following standards as a condition of being able to teach or supervise MST students.

I will:

- Maintain appropriate physical boundaries at all times and touch children only in ways that are appropriate, public and non-sexual.
- Comply with the mandatory reporting regulations of MST and with the school's policy to report suspected child abuse.

I will not:

- Touch or speak to a student in a sexual or other inappropriate manner.
- Inflict any physical or emotional abuse, such as striking, spanking, shaking, slapping, humiliating, ridiculing, threatening or degrading students.
- Give private gifts to students without the knowledge of their parents/guardians and other Class Teachers.
- Engage in private communications with students using social media in ways that are outside professional relationships with students.

I attest that as a person working with students under the auspices of MST, I am subject to a criminal history background check and have never been convicted of a crime that involves children, including sexual molestation/contact, physical abuse, neglect, child abuse, maltreatment, or a drug conviction. My signature confirms that I have read this agreement and agree to follow these standards. I understand that any action inconsistent with this agreement or failure to take action mandated by this agreement may result in disciplinary action up to and including removal from MST.

Name: _____

Date: _____

Signature: _____