

TEMPLATE LETTER

(FOR DIVISIONAL / SCHOOL LETTERHEAD AND SIGNATURE BY HIGHEST SIGNING OFFICER)

Dear staff,

Welcome back to school! We hope that the 2022/23 school year provides you with renewed focus, new vision and the opportunity to pursue and fulfill your professional and life goals.

In preparation for the year ahead and also for the future, two new reference guides have been produced for your review and reflection.

The first (pp. 2-8) is a set of strongly recommended best practices to guide interactions between all staff and pupils.

This reference guide provides key information on personal and professional boundaries as well as acceptable behaviours that can serve to promote your own, and your pupils' safety.

These strong recommendations and best practices are not only good for practice, they are our firm expectations. We therefore strongly encourage all staff to review them and integrate them into their daily practice.

The second reference guide (pp. 9-17) provides a brief overview of the significant topics of human trafficking and sexual exploitation. Among the topics addressed is an important clarification on "consent" and we similarly encourage all staff to review this material and to integrate it into their daily practice.

These topics are not insignificant. They involve and invoke the deepest emotions and some of the highest professional callings for all staff. By working collaboratively, we can together promote safe schools for all of our pupils, while promoting your best interests as our staff and colleagues.

Thank you in advance for investing your time in reading through both of these guides.

Sincerely,

[insert name and title here]

STAFF INTERACTIONS WITH PUPILS: RECOMMENDED BEST PRACTICES FOR STAFF

INTRODUCTION

Beginning in the 2022/23 school year, all school staff will complete the “Respect in Schools” and/or the “Commit2Kids” professional development programs (which of these two programs is supported by your own local school or school division will be communicated to you by them).¹ Staff providing supervision or coaching of intramural or extra-curricular school athletics programs will further complete the “Respect in Sport” program. These programs provide valuable information to help all staff become more aware of circumstances within our school communities that challenge positive interactions, or where pupils may require special support or assistance by staff.

To help support the mandatory implementation of these professional development opportunities, this additional reference guide has been compiled by the Manitoba School Boards Association and Manitoba Schools Insurance Program to orient all staff in some critical and recommended best practices for keeping both themselves and the pupils under their care, safe at all times. Staff includes everyone within a school who directly works or interacts with pupils (please see “definitions” below).

The overarching purpose of this guide is to ensure that staff are made aware of how they can protect themselves and their pupils for mutual benefit and advantage, while helping schools and school divisions to recognize many forms of staff-pupil interactions that deserve special consideration.

By distributing this reference guide to all staff, by concerting efforts to raise awareness and provide further professional development for staff on these topics, and/or through broader implementation of related policy or school procedure, we can all make a significant difference. We can further build upon the supportive and positive learning environments that schools ought to be— for both staff and pupils!

DEFINITIONS

“**boundaries**” is defined as professional behaviour by staff members while and when interacting with / communicating with pupils. See “behaviours” section in the content that follows, for further clarification and definition of acceptable boundaries.

“**intention/intentional/intentionally**” means any act or outcome undertaken with express advance planning and/or purpose by a staff member.

¹ Respect in Schools / Respect à l'école— English: <https://www.respectgroupinc.com/respect-in-school/> Français: <https://french.respectgroupinc.com/respect-in-school/> ; Respect in Sport / Respect et Sport English: <https://www.respectgroupinc.com/respect-in-sport/> Français: <https://french.respectgroupinc.com/respect-in-sport/> ; Commit 2 Kids / Priorité Jeunesse— English: <https://commit2kids.ca/en/> Français: <https://commit2kids.ca/fr/>

“parent/guardian” means any person who exercises parental duties and obligations over a pupil by virtue of biological, adoptive, customary, temporary ward or custody, or host family arrangement.

“property/properties” means any physical, electronic, stationary, moveable or vehicular properties.

“pupil” means any person attending or participating in school instruction or activities inside or outside of Manitoba, subject to exceptions as laid out in the content that follows.

“staff” or “staff member(s)” includes all school or school division employees including administration, teaching and non-teaching staff, as well as coaches, volunteers, teacher candidates and practica candidates.

BOUNDARIES

As with any relationship, boundaries are important guideposts for defining what should and should not be done, what is acceptable or not acceptable, and what promotes the best interests of all people who are in that relationship.

In the context of staff-pupil relationships within and outside of school, it is very important for all staff to be aware that they hold a legal position of trust and power in relation to pupils. While legal obligations may vary depending on the specific circumstances, the position of trust does not stop when a staff member or a pupil leaves the school. It applies at all times and under all circumstances.

If ever these positions of trust and power are compromised, this would exceed the boundaries of an appropriate pupil/staff relationship. An abuse and breach of power on the part of the staff member, a breach of their required employment duties and responsibilities, and/or a breach and betrayal of both parental/guardian and public trust, are all detrimental to our pupils and the communities we serve.

The following best practices and strong recommendations are therefore designed to ensure that acceptable boundaries remain in place at all times. By following these practices, staff can work collaboratively with their school and school division to promote acceptable and proper boundaries with all pupils.

ACCEPTABLE VS UNACCEPTABLE BEHAVIOURS

The following best practices are particularly designed to raise further understanding of staff-pupil interactions and/or communications that are, could lead to, or may be perceived as flirtatious, sexually suggestive, abusive (physical/mental) or otherwise objectively inappropriate and unacceptable. While these are not the only behaviours and boundaries that might be considered by staff when interacting with pupils, they remain among the most damaging and negative if they do occur, for both pupils and for staff themselves.

Staff are therefore always encouraged to be diligent in avoiding any conduct that is unprofessional; this is to say any act that does not represent a staff-pupil interaction that is required for learning and instruction, or that could be reasonably perceived as a breach of power or trust on the part of the staff member by others.

Compliance with these recommended behaviours is not designed to restrict or challenge staff members' own personal or professional freedoms. Rather, these recommendations are designed to keep staff themselves, their pupils, schools, and school division safe, to minimize potential risk and harm, and to promote the proper exercise of their authority and trust under all circumstances:

BEST PRACTICES

During school hours, it is strongly recommended that:

1. Staff members should not intentionally invite or allow a pupil(s) to visit with them at, meet them at, or conjointly and concurrently make use of a non-school or private property², for any purpose (including a pupil(s)' residence or property), unless

- i) advance authorization and permission is sought from the staff member's immediate supervisor, and
- ii) such authorization from the supervisor does permit for this interaction to occur.

Please see definitions above for explanation of what is included in "property".

a) Subject to 1.(b), staff members who have obtained approval from their immediate supervisor should additionally seek further written approval from the pupil's parent/guardian in advance and this written approval from the pupil's parent/guardian should then be submitted by the staff member to their supervisor at the earliest possible time. Most every school division and school has existing parent/guardian consent or release forms for this purpose.

b) In circumstances where no parental/guardian approval or consent is required, such as in contexts:

- i) involving pupils who are legally emancipated; or
- ii) where notifying the pupil's parent/guardian would create potential harm or risk to the pupil; or
- iii) where a staff member may be unduly limited, restricted or prohibited from exercising the full scope of their divisionally mandated duties and responsibilities,

the supervisor must carefully consider whether granting permission or approval to a staff member for purposes of engaging in such an interaction poses potential risk or harm to either the staff or pupil. If the supervisor is reasonably satisfied that any potential risk and harm from such interaction between staff and pupil is addressed, they can then grant approval for it to occur.

c) If a staff member intentionally interacts with any pupil(s) according to section 1 above more than once per month, a general authorization covering all recurring interactions may be sought by the staff member from both their immediate supervisor

² Please see definitions above for explanation of what is included in "property".

as well as from the parent(s)/guardian(s) of that/those pupil(s). Again, many schools and divisions can provide permission slips and consent forms that cover the full length of each school year, rather than on an occasional or one-time basis.

Outside of school hours (during weekends, weeknights, holiday/break periods), it is strongly recommended that:

2. If a staff member intentionally invites or allows a pupil(s) to visit with them at, meet them at, or conjointly and concurrently make use of a non-school or private property, for any purpose, including a pupil(s)' residence or property, they should only do so subject to express consent or permission of the parent/guardian of that/those pupil(s). It is critical that such consent or permission remain verifiable if interactions between a staff member and pupil(s) are ever called into question.

3. Interactions between staff and a pupil(s) that may be unintentional– that is to say happenstance or unplanned (e.g. when either a staff member or pupils are acting as a private citizen in community or the neighbouring environs of the school)– remain permissible, although staff members should avoid any such interactions that may give rise to public perception of unprofessional conduct.

4. Interactions between a staff member and pupil(s), arising from relationships of established family or kinship between that staff member and pupil(s), remain permissible at all times, although it is still strongly recommended that the parents/guardians of the pupils provide consent to such interactions.

In general (both during and outside of school hours) it is strongly recommended that:

5. Staff only create emotional attachments with pupil(s) within the confines of an professional staff-pupil relationship.

6. Staff avoid sharing or disclosing information about their own personal life or the personal lives of others with any pupil(s), and must never share any information about romantic, sexual, or other types of private and/or sensitive information that is not relevant to the activity and/or instruction in which pupils are engaged.

a) Voluntary disclosure of personal information between staff and pupils regarding a staff member's or pupil's personal information and/or sexual orientation, in context of school events and activities designed or intended to foster a supportive learning environment to staff or pupils, remains permissible.

7. Staff avoid giving gifts to an individual pupil that are perceived to be of significant value or of a personal or intimate nature;

8. Staff avoid engaging in any unnecessary physical contact or interactions with a pupil;

9. Staff avoid "singling out" a particular pupil(s) for inappropriate personal attention and/or friendship beyond the usual staff-pupil relationship;

- a) “singling out” includes making comments or sharing observations concerning a pupil’s appearance, dress or other physical or personal characteristics.
10. Staff avoid showing excessive attention and/or favouritism toward a pupil(s);
 11. Staff avoid asking or encouraging a pupil(s) to keep specific information or incidents from others;
 12. Staff avoid making or participating in unacceptable or inappropriate comments and/or jokes of a sexual or profane nature or use inappropriate language/profanity in the presence of a pupil(s);
 13. Staff avoid becoming involved with a pupil in such a way that could objectively be viewed as inappropriate or sexual behaviour;
 14. Staff avoid engaging in inappropriate use of social media with or about a pupil(s). Many schools and divisions have implemented or adopted relevant social media policies that can help to promote this recommendation;
 15. Staff keep appropriate administrator(s) informed when a significant issue develops involving a pupil’s welfare. Many schools and divisions have “Duty to Report” (*Child and Family Services Act*, admin handbook) guidance and other relevant policy available to help promote this recommendation;
 16. Staff avoid taking on the role of a surrogate parent/guardian for a pupil (even when and where this may be formally requested by child welfare authorities)³, or criticize the pupil’s parents/guardians to the pupil;
 17. Staff must not start a personal relationship with a pupil for the purposes of a romantic relationship. Under no context or circumstance should such a relationship occur. It is an outright infringement and violation of the trust and power that defines acceptable boundaries and behaviours;
 18. When required to communicate electronically with pupils, staff only do so through an approved medium and using only a recognized school source, device or other approved technology. Such electronic communications, including through social media channels, must be for school-related reasons only and must be professional in all respects;
 19. Staff avoid sharing passwords, handles, names, or identifiers for social media, school or personal email or other means of communication with a pupil(s);
 20. Staff minimize and avoid, to the greatest extent possible, being alone in a room with a pupil at school beyond the visibility or earshot of others (for example, with the door closed and/or if other barriers block a clear public view of the room). See below re “Rule of Two”.

OUTSIDE THE SCHOOL DAY

It is recognized that staff or their children have intentional, amicable or happenstance interactions with other pupils and/or their families outside of school, such as those arising in the

³ Exigent circumstances or emergency contexts should be reviewed and approved by the staff member’s supervisor

course of family, friendship, or community social functions or where there is a formal arrangement for a staff member to supervise, tutor or mentor a pupil in a non-school capacity. Within such relationships and during the course of such interactions, we strongly recommend, again, that staff consult and practice recommendations 2, 3 and 4 as outlined above.

Beyond such interactions, it is strongly recommended that staff must minimize communications with pupils outside of regular school hours, on weekends and during school breaks. For any electronic communication with a pupil(s) outside of regular school hours, on weekends, and when school is on break, it is strongly recommended that staff members copy the pupil's parent(s)/guardian(s) on the communication.

“RULE OF TWO”

Staff are also strongly encouraged and recommended to use the **“Rule of Two”**: **having two adults present during the course of any interaction with a pupil(s), in planning for individualized or small group interactions with any pupil(s) during and outside of the school day, to protect pupils and themselves.**

The “Rule of Two” serves to protect staff and pupils in potentially vulnerable situations by ensuring that more than one adult is present when staff are meeting with a pupil both during and outside of the school day. Staff should ensure there is at least one other person, preferably another adult, with them and the pupil at all times. If this is not possible, staff will consider alternative measures, such as having another pupil or staff member present, meeting in a public area within the school (outside of the school would fall under recommendations 1 or 2 above), and/or leaving their classroom or office door open.

DUTY TO REPORT

- If a staff member finds themselves in a difficult situation related to boundaries, have questions related to the conduct outlined above, or have or questions on any of the recommendations outlined in this reference guide, they are encouraged to consult their administrator and/or superintendent.
- When any staff member becomes aware of or has reason to believe another staff member is violating acceptable boundaries with a pupil, the staff must report the matter at the earliest possible time to their supervisor and/or superintendent. Not doing so is a violation of legal obligations on the part of every staff member. *The Public Schools Act, The Criminal Code of Canada, and The Child and Family Services Act* each mandate duties for staff to report violations of acceptable boundaries according to the type of violation in question. Other reporting procedures or obligations on the staff member may also be established by a school or division.
- It is strongly recommended that staff members consult with their supervisor if a pupil is, or may reasonably be perceived to be, infringing upon a staff member's professional and/or personal boundaries, attempting to establish an inappropriate relationship, or engaging in conduct or behaviours that may compromise acceptable and appropriate staff-pupil interactions.

- It is strongly recommended that staff, pupils, parents/guardians or visitors notify a staff supervisor and/or divisional superintendent, if they believe a staff member may have engaged in or is engaging in conduct that may violate this policy.

FURTHER CONSIDERATIONS FOR SCHOOL AND DIVISIONAL ADMINISTRATORS

The above recommendations may serve as a compass for identifying specific types of boundaries or behaviours that a school or school division may feel would best be addressed through the formal adoption or implementation of policy or procedure to guide best practice in your school or division. If any school or division wishes to pursue such formal amendments to their policy or procedures regarding any of the acceptable behaviours and/or boundaries outlined in this reference guide, please contact–

The Manitoba School Boards Association
191 Provencher Boulevard
Winnipeg, MB R2H 0G4

Telephone– Winnipeg: (204) 233-1595 / Toll Free: 1-800-262-8836

E-mail: webmaster@mbschoolboards.ca

ADDITIONAL READINGS AND RESOURCES

- ***The Public Schools Act***, sections 47.1.1(1) to 47.1.1(7), 47.1.2(1)
Bilingual: https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p250
- **Manitoba Regulation 37/2012 (*Reporting Bullying*)**
Bilingual: https://web2.gov.mb.ca/laws/regs/current/_pdf-regs.php?reg=37/2012
- ***The Child and Family Services Act***, sections 17, 18
Bilingual: https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=c80
- ***Criminal Code of Canada***, sections 153, 273.1(2)(c), PARTS V and VIII
English: <https://www.laws-lois.justice.gc.ca/eng/acts/C-46/index.html>
Français: <https://www.laws-lois.justice.gc.ca/fra/lois/c-46/index.html>
- **Universal Code of Conduct to Prevent and Address Maltreatment in Sport**
English: <https://sportintegritycommissioner.ca/files/UCCMS-v6.0-20220531.pdf>
Français: <https://commissaireintegritesport.ca/files/CCUMS-v6.0-20220531.pdf>
- **Coaching Association of Canada – “Rule of Two” webpage:**
English: <https://coach.ca/rule-of-two>
Français: <https://coach.ca/fr/regle-de-deux>
- **Sport Manitoba – “Keeping Kids Safe” webpage:**
English only: <https://www.sportmanitoba.ca/coaching/resources/keeping-kids-safe/>
- **For more information and guidance**, please also consult your individual school or school division’s policies or procedures relating to human diversity; the duty to report; use of social media and/or electronic devices; and staff/pupil code(s) of conduct.

HUMAN TRAFFICKING AND CHILD SEXUAL EXPLOITATION: A BRIEF REFERENCE GUIDE FOR MANITOBA SCHOOLS

Introduction

The following reference guide has been prepared in supplement to the recommended Staff-Pupil Interaction Best Practices Reference Guide developed by the Manitoba School Boards Association and Manitoba Schools Insurance Program for introduction across school divisions and schools starting with the 2022/23 school year. While it is acknowledged that the topics addressed in this guide deserve far greater treatment and expansion, and while responding to trafficking and exploitation must be situated in a context of multi-sectoral wraparound supports and services (involving health, police, justice, social services and education), the guide's purpose is to provide an "ease of use" reference to orient and introduce school staff and volunteers to these significant topics.

Included are explanations of human trafficking and child sexual exploitation; a profile of victims; signs and symptoms demonstrated by victims of these crimes; a discussion regarding consent as well as child marriage; a list of emergency contacts; some additional considerations for schools and school boards in responding to human trafficking and child sexual exploitation; and an abbreviated list of additional readings and resources.

Definitions

"parent/guardian" shall be interpreted to mean any person who exercises parental duties and obligations over a pupil by virtue of biological, adoptive, customary, temporary ward or custody, or host family arrangement.

"pupil" shall be interpreted to mean any person attending or participating in school instruction or activities inside or outside of Manitoba.

"staff" includes all school division employees including administration, teaching and non-teaching staff, as well as coaches, volunteers, teacher candidates and practica candidates.

Who is the intended audience of this guide?

It is critical that the information in this reference guide be provided to all staff in Manitoba schools to promote greater awareness of the harms and risks of trafficking and sexual

exploitation in the school context, to provide meaningful resources, as well as for purposes of general orientation of staff prior to interacting with pupils. The materials are also intended to provide necessary information for the benefit of school and divisional administrators, including school boards.

What are human trafficking and child sexual exploitation?

During the course of your career working in and for schools and in your interactions with pupils, you may one day interact with a trafficked and/or sexually exploited pupil.

According to the law in Manitoba⁴:

Human Trafficking

A person commits human trafficking of another person when they abduct, recruit, transport or hide that person, or control, direct or influence the movements of that person; and they use force, the threat of force, fraud, deception, intimidation, the abuse of power or a position of trust, or the repeated provision of a controlled substance (ex: drugs/inhalants/alcohol), to cause, compel or induce that person to:

- become involved in prostitution or any other form of sexual exploitation,
- provide forced labour or services, or
- have an organ or tissue removed.

Child Sexual Exploitation

Child sexual exploitation occurs where a child is compelled by force, the threat of force, intimidation or the abuse of power or a position of trust to engage in sexual conduct; or there is an exchange of a controlled substance (ex: drugs/inhalants/alcohol) for sexual conduct. Sexual conduct includes four types of behaviours:

- sexual intercourse
- touching the body of any person for a sexual purpose
- exposing a person's sexual organs or anal region or exposing the breasts of a female person

⁴ See **The Child Sexual Exploitation and Human Trafficking Act**

English: <https://web2.gov.mb.ca/laws/statutes/ccsm/c094e.php>

Français: <https://web2.gov.mb.ca/laws/statutes/ccsm/c094f.php>

- any activity related to child pornography as defined in the *Criminal Code of Canada*⁵.

Online Sexual Exploitation⁶

Child sexual exploitation online includes:

- Child sexual abuse material – Actual, but also fictitious, written depictions of child sexual abuse, audio, video, and images, also known as child pornography;
- Self-generated materials and sexting – Youth-generated explicit images/videos on the Internet, which are often further distributed without consent;
- Sextortion – Use of coercion and threats to extort child sexual exploitation images/videos from youth (either by other youth or adult offenders);
- Grooming and luring – Use of applications and platforms to connect with children and youth for the purpose of sexually exploiting them;
- Live child sexual abuse streaming – Viewing of child sexual abuse in real-time, often involves the offender directing the abuse; and
- Made-to-order content – Ordering videos/images to suit offenders' preferences.
- Exploitation online has also increasingly included monetary scams and/or extortion.

Who are the typical victims?⁷

It is estimated that hundreds of children, youth and adults are victimized in the visible sex trade in Manitoba each year. It is also estimated that thousands are victimized in the invisible sex trade that takes place in hidden venues such as private homes and drug houses located throughout the province.

Most adult sex trade workers report that their victimization began at a very young age; sometimes as young as 9, and at an average age of 14.

⁵ See **The Criminal Code of Canada**

English: <https://www.laws-lois.justice.gc.ca/eng/acts/C-46/index.html>

Français: <https://www.laws-lois.justice.gc.ca/fra/lois/c-46/index.html>

⁶ See **Public Safety Canada / Sécurité publique Canada**

English: <https://www.publicsafety.gc.ca/cnt/cntrng-crm/chld-sxl-xplttn-ntrnt/index-en.aspx>

Français: <https://www.securitepublique.gc.ca/cnt/cntrng-crm/chld-sxl-xplttn-ntrnt/index-fr.aspx>

⁷ Sources– English: <https://gov.mb.ca/fs/traciustrust/how.html>; <https://winnipeg.citynews.ca/2021/10/17/by-the-numbers-human-trafficking-in-canada/>

The victims of human trafficking are overwhelmingly girls and younger women, especially under the age of 35.

- Ninety-five per cent of human trafficking victims are girls and women. (Stats Canada)
 - Of those victims, 89 per cent are under the age of 35.
 - Over 20 per cent are under the age of 18 and 43 per cent are between the ages of 18 to 24.
 - One in three victims reported some kind of physical injury related to the incident.
- Only 11 per cent of victims were trafficked by a stranger, most are trafficked by someone they know
 - For 29 per cent of victims, their trafficker was a friend or acquaintance
 - For 25 per cent of victims, their trafficker was a current or former boyfriend or girlfriend

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 pupils who are LGBT2SQ*, homeless and/or youth-in-care, are generally at greater risk of victimization from trafficking and sexual exploitation.

Without intervention, trafficked and/or sexually exploited youth are at far greater risk of:

- violence, including abusive relationships, sexual assault and homicide;
- sexually transmitted diseases;
- gang involvement;
- early pregnancy;
- mental health difficulties;
- academic difficulties;
- involvement with the child and family services and criminal justice systems;
- long term dependence on social services and government assistance; and
- raising children who are much more likely to repeat the same cycle.

What are some signs and symptoms of trafficked or sexually exploited pupils?⁸

While the following provides a non-exhaustive list, staff interacting with those pupils who are victims of trafficking or sexual exploitation should be aware that school-aged victims tend to:

⁸ See generally: <https://www.canadiancentretoendhumantrafficking.ca/signs-of-human-trafficking/> and https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/victims-of-crime/human-trafficking/training/resources/printable/mod3_info_sheet2.pdf

- Demonstrate higher than normal evidence of transiency, or of being moved frequently from school to school or community to community; they may also claim to be “new” or “just visiting.”
- Demonstrate higher rates of absenteeism, whether excused or unexcused, including working during school hours.
- Refuse to develop or demonstrate reluctance to develop relationships with peers or join with peer circles or in school activities; may be subject to sudden ostracism by friends and peers.
- Exhibit higher than normal degrees of fear, worry and anxiety, or are easily intimidated.
- May be dressed in age inappropriate clothing.
- May be dressed in clothing inappropriate for the time of year or context.
- May suddenly have expensive clothing, purses, shoes, nail services.
- Branding with tattoos featuring names or symbols.
- May have bruises or other signs of physical abuse including frequent hunger and/or being malnourished.
- Discuss opportunities or jobs in other jurisdictions.
- Carries a cell phone, makes regular calls during school hours, and is secretive or fearful regarding phone and internet or electronic device usage.
- Begins spending more time using internet, or electronic devices. Hides screens, discusses interacting with “online friends” more frequently, or discloses in-person meeting of online friends and contacts.

Staff and volunteers are strongly encouraged to consult the “other readings and resources” section of this reference guide to learn about other signs and symptoms.

Foreign resident and/or international pupils

It is also very important to consider that, in the context of international and foreign resident pupil placements, children who are:

- registered or enrolled in school by a guardian(s) without furnishing identity documents, or authority or permissions from state welfare authorities; or
- registered or enrolled by one parent and/or step-parent or a family relation without providing sufficient evidence of identification or additional parental permission or consent,

may in fact be trafficked or abducted children. In such instances, the duty and obligation of a school division or school to enroll and accommodate pupils in school must be carefully reviewed and implemented by the school or division. It is critical that possible cases of cross-border or international abduction and trafficking be reported at the earliest time to avoid a school

becoming an accessory to these offences. Please see the emergency contacts section for relevant information.

Clarification regarding consent⁹

It is important that school staff understand that any sexual relationship between a pupil and a staff member is never justified under legal definitions of consent. Quite the contrary, any person who remains in a position of trust or authority relative to a pupil of any age, commits sexual exploitation if sexual relationships occur. This includes the full spectrum of sexual contact, from kissing and touching to intercourse. In Manitoba, staff working with pupils are designated as “in loco parentis” under the law, meaning that they serve as temporary guardians of all pupils and are expected to act according to parental behaviour, whether or not these pupils have reached the legal “age of consent.” This principle establishes a clear position of trust and authority between all staff and volunteers relative to pupils.

In terms of sexual relationships between pupils and persons not employed or volunteering in a school, sexual exploitation can also occur depending upon the context whether or not the age of the other party is the same or similar to that of the pupil. Please consult the additional readings at footnote 6 for further information.

Child Marriage

While infrequently encountered in schools, underage or child marriage continues to occur in Manitoba. Child marriage, defined as formal or informal marriage before the age of 18, is a globally recognized indicator of gender inequality. Child marriage remains legal throughout Canada. Data from vital statistics agencies and recent censuses indicate that child marriage, although rare, is practiced across the country. In 2016, nearly 2,300 children between 15 and 17 years of age were in union, a prevalence of 0.2 percent. The vast majority (98 percent) of these were informal, common-law unions. Demographic patterns of child marriage in Canada are similar to those observed in many low- and middle-income countries. Girls are far more likely to be married as children than boys, and typically wed much older spouses. The highest estimates of child marriage rates are found in Alberta, Manitoba, Saskatchewan, and the northern territories.¹⁰

⁹ Please also consult Justice Canada/Ministère de la justice Canada–

English: <https://www.justice.gc.ca/eng/rp-pr/other-autre/clp/faq.html>

Français: <https://www.justice.gc.ca/fra/pr-rp/autre-other/clp/faq.html>

¹⁰ Source: Koski, A. “Child marriage in Canada”, *Population and Development Review*. Accessed online, September, 2022 at: <https://onlinelibrary.wiley.com/doi/pdf/10.1111/padr.12369>

If a pupil discloses intentions for marriage, it is important to determine whether or not the pupil is at least 16 years of age (as per *The Marriage Act*) and fully consents to the marriage. If they seek help or support to avoid entering into a marriage, please consult the emergency contacts below. Any child that does not wish or consent to be married is, according to legal definition, at risk of becoming a sexually exploited child.¹¹

How can you get help?

- **Police**– In an **emergency**, contact your local police emergency number. If you feel a child is in immediate danger, call 911 or, if 911 service is not yet available in your community, call your local Royal Canadian Mounted Police (RCMP) detachment or police department. For a list of RCMP detachments in Manitoba, please visit– English: <http://www.rcmp-grc.gc.ca/detach/en/find/MB> français: <https://www.rcmp-grc.gc.ca/detach/fr/find/MB> or consult footnote 9 for local policing authority contacts in specific communities across Manitoba.¹²

Non-Emergency

- **Manitoba Child and Family Services**– If you think a child is being harmed or neglected, contact Child and Family Services at **1-866-345-9241**.

¹¹ See generally footnotes 1 and 2, read in conjunction with *The Marriage Act*– English: <https://web2.gov.mb.ca/laws/statutes/ccsm/m050e.php>
Français: <https://web2.gov.mb.ca/laws/statutes/ccsm/m050f.php>

¹² **Altona Police Service**– Phone: 911 or Emergency 24 hour line: 204-324-5353

Brandon Police Service– Phone: 911

Cornwallis Police Service– Phone: Chief's direct line: 204-724-7999

Manitoba First Nation Police Service– Phone: 204-856-5370

Military Police (Shilo)– Phone: 204-765-3337

Morden Police Service– Phone: 911 or 204-822-4900

Rivers Police Service– Phone: 204-328-7430

Springfield Police Service– Phone: 911

Ste. Anne Police Service– Phone: 204-422-8209

Victoria Beach Police Service– Phone: 204-756-2322

Winkler Police Service– Phone: 911 or 204-325-0829

Winnipeg Police Service– Phone: 911

- **Local Trafficking Hotline– ‘Call the Line’.** Available 24/7, operated by Klinik Community Health Centre. Toll-free **1-844-333-2211**. Klinik will provide support province-wide across Manitoba.
- **Canadian Human Trafficking Hotline–** If someone you know may be a victim of human trafficking outside of Manitoba or across jurisdictional borders, you can call the Canadian Human Trafficking Hotline: **1-833-900-1010**.
- **Cybertip Reporting–** for reporting the online sexual exploitation of children
English: https://www.cybertip.ca/en/report/?utm_campaign=sl&utm_term=/app/en/report
Français: <https://www.cybertip.ca/fr/signalement/>

What are some additional considerations for those working with pupils in schools?

There are no “one size fits all” resources or practices that will serve to address the specific needs of every pupil or every school community. However, experiences across Canada have demonstrated that school boards and local schools that practice or have adopted the following strategies to address and combat human trafficking and child sexual exploitation can make a significant difference in their communities:

- **Mandatory education and training for all staff and volunteers–** in Manitoba, effective as of the 2022/23 school year, all staff and volunteers in schools must complete the Respect in Schools or Commit 2 Kids education and training programs. Staff and volunteers providing supervision of intramural and extra-curricular athletics activities must further complete the Respect in Sport program.¹³ Completion of these programs, and continuing competence in the topics featured in these programs, serves to increase awareness and promote understanding of many forms of neglect, bullying, harassment and abuse, including sexual exploitation and abuse.
- **Integration of topics on human trafficking and sexual exploitation into the school curriculum–** in Manitoba, topics of human sexuality and healthy sexual relationships have been integrated into the required learning outcomes across the K-12 health and physical education curriculum. Highlighting human trafficking and sexual exploitation

¹³ Respect in Schools / Respect à l'école– English: <https://www.respectgroupinc.com/respect-in-school/> Français: <https://french.respectgroupinc.com/respect-in-school/> ; Respect in Sport / Respect et Sport English: <https://www.respectgroupinc.com/respect-in-sport/> Français: <https://french.respectgroupinc.com/respect-in-sport/> ; Commit 2 Kids / Priorité Jeunesse– English: <https://commit2kids.ca/en/> Français: <https://commit2kids.ca/fr/>

(online/virtual and/or physical) can be addressed as part of these learning outcomes. These topics can also be featured under digital and information and communication technologies literacy curriculum. Ontario has developed some useful online learning tools (“Speak Out: Stop Sex Trafficking” and “The Trap”, see footnote 11) that can support integration of anti-human trafficking and sexual exploitation topics into middle and senior years’ curricula.¹⁴

- Establishment of comprehensive plans and strategies including community-focused advisory structures– in Ontario, the Ministry of Education has adopted Memorandum 166, a mandatory statement of principles that is to be implemented by all school boards. Under the principles, boards are required to: define a role for parents/guardians/caregivers; foster student voices; build multi-sectoral relationships with community organizations; ensure that interventions for trafficking and exploitation are safe; build up school-based prevention; respect confidentiality, privacy and informed consent; and promote equitable and culturally safe responses.¹⁵

All school boards in Manitoba are encouraged to review Memorandum 166 by way of integrating these important principles into their own local practice. Among the principles outlined, responding to school-based incidents or cases of trafficking or sexual exploitation must reflect the highest standards of safety, confidentiality, privacy, equity and cultural competency.

Other Readings and Resources

Government of Manitoba, Department of Families, Tracia’s Trust:

<https://gov.mb.ca/fs/traciustrust/how.html>

Canadian Centre to End Human Trafficking: <https://www.canadiancentretoendhumantrafficking.ca/>

Canadian Centre for Child Protection: English– <https://www.protectchildren.ca/en/>

Français– <https://www.protectchildren.ca/fr/>

Government of British Columbia: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/human-trafficking>

¹⁴ English: <https://news.ontario.ca/en/release/58193/ontario-launches-new-tools-to-help-prevent-human-trafficking> Français: <https://news.ontario.ca/fr/release/58193/ontario-lance-de-nouveaux-outils-pour-aider-a-prevenir-la-traite-des-personnes>

¹⁵ English: <https://www.ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-166> Français: <https://www.ontario.ca/fr/document/education-en-ontario-directives-en-matiere-de-politiques-et-de-programmes/politiqueprogrammes-note-166>