

## Atlantic Education International Policy #102

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**Subject:** Policy for the Protection of International Students in New Brunswick through AEI's New Brunswick International Student Program (NBISP)

**Effective:** September 1, 2022

**Previous Versions:**

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### 1.0 PURPOSE

This policy is intended to:

- protect NBISP international students from Abuse and Neglect by Adults who are in a position of trust and/or authority, and to whom they may be exposed by virtue of being officially designated to have Close Personal Contact with them.
- ensure that Adults officially sanctioned by NBISP to have Close Personal Contact to international students understand the responsibility conferred upon them when parents entrust their children to AEI
- eliminate Serious Inappropriate Conduct through the defining of acceptable standards of behavior, prevention, and effective intervention

### 2.0 APPLICATION & RESPONSIBILITY

This policy protects all international students who come to New Brunswick through NBISP. It specifically applies to all staff, volunteers, and contracted parties in whom AEI authorizes contact with its international students. This includes, but is not limited to, AEI staff, AEI contracted employees, AEI independent contractors, AEI volunteers, and Adults in NBISP homestay families. The Director of NBISP shall be accountable, through the Vice-President to the President & CEO, for the appropriate implementation of this policy

The policy applies:

- whenever an international student is in New Brunswick under the official auspices of NBISP
- when an Adult officially associated with NBISP Abuses or Neglects, or is suspected of abusing or neglecting, a child in New Brunswick through NBISP

**NOTE:** *Adults who have a separate official role with the public school system are also subject to New Brunswick Department of Education & Early Childhood Development Policy 701: Policy for the Protection of Pupils.*

## DEFINITIONS

- (a) **Abuse**, in the context of this policy, refers to any form of physical, emotional and/or sexual mistreatment or lack of care that causes injury or emotional damage to a child or youth. The misuse of power and/or breach of trust are part of all types of child Abuse.
- (b) **Appropriate Behavior** refers to behaviors considered socially acceptable in the New Brunswick context which reinforce in students proper behaviors and which contribute to the productive running of a family household, and also those which offer comfort, support, encouragement and positive interactions between Adults and minors. This term also refers to normal reprimands for poor judgment or inappropriate behaviors
- (c) **Adult(s)**, in this context, refers to all Adults officially sanctioned by NBISP to be staff, contracted parties, volunteers and those who welcome and provide care and oversight of international students in their homes.
- (d) **Close Personal Contact** refers to any situation where an Adult is in close proximity to a child or children / youths, and for the purpose of this policy, is vested with a duty of care by NBISP
- (e) **Complaint Summary Form** refers to an official AEI document upon which allegations of Abuse and / or Neglect must be recorded. This form is found in Appendix A [\*\*Policy 102 Complaint Summary Form\*\*](#)
- (f) **Consent** refers to an informed and freely and affirmatively communicated willingness to participate in a particular activity. It is impossible for a minor student to Consent to actions by an Adult which constitute Abuse or Neglect as defined by this policy.
- (g) **Emotional Abuse** refers to the intentional infliction of anguish, distress, or intimidation through verbal or non-verbal acts of denial of civil rights. Emotional Abuse can include overt rejection, criticism, blaming, threats, insults, humiliation, and excessive demands of performance for a child's age and ability.
- (h) **Homestay Parent(s)** refers to any Adult who is authorized by NBISP to receive and care for international students in their home
- (i) **Legal Obligation to Report** refers to the standard duty to report suspicions of child Abuse or Neglect involving any student in New Brunswick under the sponsorship of AEI, to Child Protective Services and to the local law enforcement agency. In accordance with the official agent designation document with the Department of Education & Early Childhood Development, AEI also has a duty to report these suspicions or allegations to the office of the Minister and / or their designate(s).
- (j) **Neglect** refers to acts of omission on the part of the parent/caregiver. This happens when a parent or caregiver ignores a child's basic needs to the point where the child is or could be harmed. Physical Neglect can include failure to provide for the child's basic needs and appropriate level of care.
- (k) **Physical Abuse** refers to all actions resulting in nonaccidental physical injury or harm. Such Abuse is distinguished from reasonable use of force by its severity and its inappropriateness for the age of the child, and its lack of healthy corrective purpose regarding the child's behaviour. The child's injuries may range from minor bruises, burns, welts or bite marks, to broken bones or — in extreme situations — death.

- (l) **Procedural Fairness** refers to a Respondent's right to:
  - i. a fair and unbiased assessment of allegations made against them,
  - ii. timely investigation and hearing, and
  - iii. a meaningful opportunity to respond to the allegations made against them
- (m) **Respondent** refers to the person or persons against whom allegations are made under this policy
- (n) **Screening Procedures** refers to vulnerable sector criminal record checks as well as home inspections prior to placement of students
- (o) **Serious Inappropriate Conduct** refers to instances of Abuse, Neglect or any action that is deemed to harm the physical or emotional health of an international student even if it doesn't reach the threshold that would warrant the laying of criminal charges. This includes inappropriate use of technology and social media, such as texting inappropriate messages or sending inappropriate photos or other images to minors, whether of a sexual nature or not.
- (p) **Sexual Abuse** occurs when a person uses a child for sexual purposes and refers to any sexual act involving a child and a caretaker, a person in a position of trust, and/or any other person.

### 3.0 GOALS / PRINCIPLES

- 3.1 In interpreting and implementing this policy, staff must ensure that AEI's mission and values (as set forth in *Policy 101*) are being upheld
- 3.2 NBISP is committed to providing homestay and community environments that are safe, inviting, and conducive to an engaging, enjoyable, and memorable study-abroad experience for its students. Adults officially associated with NBISP are essential to achieving this through the modeling of appropriate behaviour and through the care that they provide to international students.
- 3.3 A student cannot give Consent to being the target of Physical Abuse, Sexual Abuse, Emotional Abuse or Neglect. Failure by a student to report, or attempt to stop, Abuse or Neglect directed at him/her/them, cannot be taken as justification for such conduct. Moreover, ignorance of acceptable conduct will not be considered an excuse for abusive or Neglectful conduct.
- 3.4 Education is the most basic prevention. Abusive and Neglectful behavior must be treated as destructive, seriously affecting individuals and the work of NBISP and of AEI as a whole.

### 4.0 REQUIREMENTS / STANDARDS

- 4.1 The Director of NBISP shall ensure Screening Procedures, appropriate to a person's role vis-à-vis students, are carried out for all persons who act on NBISP's behalf, including staff, contracted parties, Homestay Parents and volunteers.
- 4.2 No person shall be considered for duty in the NBISP system if:
  - There are previous convictions for violent crimes or crimes against children; or

- There are known incidents of inappropriate behavior towards children and youth
- 4.3 Clear procedures must be in place that ensures AEI will fulfill its Legal Obligation to Report suspicions of child Abuse or Neglect to appropriate authorities.

## 5.0 RESPONSIBILITIES

- 5.1 The Director of NBISP shall ensure that written procedures exist for:
- Background checks, including criminal record and vulnerable sector checks
  - Education around this policy
  - Documenting, receiving, and reporting allegations of Abuse or Neglect
  - Responding to allegations of Abuse or Neglect of an AEI student
  - Storing of documentation
- 5.2 The Director of NBISP shall ensure that:
- Adults whose job or role within the NBISP system place them in contact with students are familiar with their responsibilities under AEI Policy 102;
  - All staff are aware of their obligation to complete a Policy 102 **Complaint Summary Form** (included in Appendix A) when they are the first person to receive or become aware of the complaint, and to share it immediately with their Regional Manager, who is the custodian of the international student;
  - All Regional Managers are aware of their obligation to report all allegations of Abuse and Neglect to the Department of Social Development (Child Protection) and appropriate school district staff on a need-to-know basis;
  - All persons involved in a case of suspected Abuse or Neglect are informed of the need to keep the information pertaining to the case confidential; and
  - All **AEI Policy 102 Complaint Summary Forms** are forwarded to the President / CEO or designate who will ensure the Deputy Minister (or designate) of the Department of Education & Early Childhood Development is appropriately informed
- 5.3 In all cases, proper documentation must be maintained in a secure and confidential file, which includes the **AEI Policy 102 Complaint Summary Form** as well as notes of informal meetings, reports and recommendations, and final decisions / actions taken
- 5.4 In all cases, AEI's actions must be consistent with a respondent's right to Procedural Fairness, which will become especially relevant if AEI is directed by the Deputy Minister to conduct an investigation.
- 5.5 In all cases, other than the removal of the student from a host family home, AEI's response to allegations of Abuse or Neglect will be subject to the directives of Child Protective Services and / or local law enforcement.

## 6.0 SUPPORT FOR VICTIMS

- 6.1 The Director of NBISP shall work with schools / school districts and any other appropriate entity to ensure counselling is available for the complainant and other pupils who may have been affected.

## 7.0 APPROPRIATE BEHAVIOR AND INAPPROPRIATE BEHAVIOR TOWARDS STUDENTS

- 7.1 Adults selected to work with and/or care for students are expected to behave in a manner that is caring, nurturing and consistent with good judgment typical of New Brunswick parents or guardians. In deciding whether it is appropriate to show physical warmth towards an AEI student, one should take their lead from the student themselves. It is good practice to ask permission, without applying pressure or expectations, before offering a hug reassuring touch, or physical comfort. While some students may appreciate and look forward to a hug from time to time, others may never be comfortable with this level of intimacy. Adults should never assume a student's level of comfort based on their cultural background. Knowing how much physical touch is appropriate will come with getting to know the student, establishing a level of trust with them, and appreciating each other's boundaries. Sometimes, for example when a student is experiencing loss, homesickness, or grief, they may appreciate a comforting touch, but this should not be taken for granted.
- 7.2 It is NEVER appropriate to touch a student in a way that is or could be perceived to represent a sexual advance. Further, while it is completely acceptable to reprimand a student for poor judgment or inappropriate behaviors, it is NEVER appropriate to strike, slap or in any other way physically punish them, or to berate or demean them with words.

## 8.0 MONITORING AND REPORTING

- 8.1 Due to the sensitive nature of this policy, monitoring and reporting shall be in the form of individual case documentation management, which, following resolution of a file, will be available exclusively to the Vice-President and the President / CEO on a need-to-know basis only.

Original Signed By:

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President

**NOTE:** This policy was officially endorsed by the AEI Board of Directors on Thursday, October 13, 2022