

POLICY AND REGULATIONS
FOR
CHILDREN AND ADOLESCENTS' PROTECTION
AMERICAN NICARAGUAN SCHOOL (ANS)

CHAPTER I

GENERAL RULES

Art. 1 Children and Adolescents' Protection Policy (CAPP)

The security and wellbeing of ANS' students, boys, girls, and adolescents (BGA) constitutes the highest priority of the American Nicaraguan School (ANS). We believe that a safe environment is a right of each individual. The Board of Directors, the Director General, the faculty, support staff, parents, and volunteers recognize each boy's, girl's, and adolescent's individuality and their right, in general, to a complete safeness, and, in particular, to the security of their educational environment; and we are firmly committed to providing and guaranteeing them a safe place for their education and growth as human beings and committed citizens. We expect respect, care, and mutual support from all members of our educational community so that BGA may fully develop their abilities and feel, as they are, valuable members of our school.

Art. 2 Objectives

The objectives of our CAPP are the following:

1. The prevention, through the development of a healthy and positive environment, in which complete safeness is the priority.
2. The protection, through the implementation of a system of guarantees, rights, duties, and procedures previously agreed and widely known by the entire educational community, making sure that ANS faculty and staff in general are duly trained and cooperate to give the appropriate and sensitive answer concerning the protection of the BGA.
3. The Administration will be responsible for the compliance of faculty recruitment processes.
4. Firmly support any student in risk or victim of abuse.
5. The CAPP must be in agreement and comply with the applicable Nicaraguan legislation.

Art. 3 Lines of Action

The lines of action of our Children and Adolescents' Protection Policy are the following:

1. To permanently instruct the student body on the ways to keep their safeness and to identify conducts that seem unacceptable for such purpose.
2. Inform the student body about the existence of adults and organized structures at ANS that they can turn to when they are afraid or consider that their safety is at risk.
3. To ensure that all staff employed at ANS understand their responsibility to be alert at any sign of abuse in girls, boys, or adolescents, and their duty to inform the Children and Adolescents' Protection Coordinator (CAPC), his/her substitutes, or, otherwise, the qualified personnel.

4. To guarantee that the hiring of any new personnel can only be carried out after an appropriate verification of all references and controls, and, once crosschecked, that he/she is duly instructed about the CAPP.
5. To instruct all staff about their responsibilities regarding the safeness and protection of the BGA, ANS' requirements and expectations about their conduct and performance, and, in general, those conducts that the Nicaraguan law prohibits and penalizes.
6. To train faculty and staff in the identification of signs that show the presence of risks of abuse and to offer their support to girls, boys, and adolescents that may be suffering or being exposed to inappropriate conducts or abuse.

Art. 4 Nature, Validity, and Review of the CAPP

The CAPP document has a normative, obligatory, and binding nature; defines and regulates ANS' CAPP, has a permanent validity and preference regarding any other internal rules of ANS. Its content will be annually reviewed, or as soon as any event occurs that recommends a significant change, partial or total. The revision project will be prepared by the Permanent CAP Team, consulted, and discussed with the different groups at ANS, and submitted to the Board of Directors for approval, being signed by their President. During the year, the Board of Directors will ensure, by special agreement, the correction of any deficiency detected in the Protection Policy approved that does not require a total revision, and the Director General will be in charge of making the correction and its implementation widely known.

Art. 5 Legal Nicaraguan Framework

The American Nicaraguan School's Children and Adolescents' Protection Policy has as legal framework of reference the following regulations of the Nicaraguan legislation:

1. Political Constitution of the Republic of Nicaragua

Art. 71 (second paragraph). Children enjoy a special protection and have all the rights that their condition demands; that is why the International Convention of Boys' and Girls' Rights has full validity.

2. Children and Adolescents' Code (Law No. 287, Gazette Official Daily No. 97 of 05/27/98)

Art. 7. It is the duty of the family, the community, the school, the State, and society in general to ensure, with absolute priority, the compliance of the rights and guarantees of the girls, boys, and adolescents regarding life, family and community coexistence, identity, nationality, health, feeding, housing, education, environment, sports, recreation, professionalization, culture, dignity, respect, and freedom. The guarantee of absolute priority includes:

a) Precedence in receiving protection and help in any circumstances.

Art. 48. The directors of educational institutions have an obligation to communicate, firstly to the mother, the father, or the tutor, any cases of mistreatment, violation and sexual abuse, repetition of unjustified absences, escape from school, use, abuse, consumption, and dependency on

psychotropic substances, high levels of level repeating, and other cases that demand the student's attention. In case of reoccurrence or seriousness, they are obliged to inform or report the previously indicated situations to the pertinent organism or authority.

Art. 49. It is forbidden for teachers, authorities, officials, employees, or workers of the Educational System to apply any abusive measures or sanctions to students that cause them physical, moral, and psychological damages, according to the qualified judgment of specialists or doctors, or which restricts the rights included in this Code. The person responsible for these measures or sanctions will be subject to the appropriate administrative or penal sanctions.

Art. 76. The State and the public or private institutions, with the participation of the family, the community, and the school, will provide special attention and protection to the girls, boys, and adolescents that find themselves in the following situations:

- f) When they are addict to some type of psychotropic substances, tobacco, alcohol, inhalant substances, or being used for drug trafficking.
- g) When they are being sexually abused and exploited.
- i) When they suffer some kind of physical or psychological mistreatment.
- k) When it has to do with pregnant girls and adolescents.
- l) Any other condition or circumstances that require special protection.

Art. 85. Those persons that by action or omission carry out mistreatment, violence, or physical, psychic, or sexual abuse will be subject to the penal sanctions established by law. The corresponding administrative authority will take the necessary measures to protect and rescue the girls, boys, and adolescents when their physical, psychic, or moral integrity is at risk. They may count with the police assistance, which shall be provided without major formalities.

Art. 106. Every adolescent has the right to have his/her family life and his/her private intimate life respected. Therefore, it is forbidden to publish and disclose any information from the investigation or the process that directly or indirectly facilitates their identity. The violation of the current rule entails administrative, civil, and/or penal responsibility.

3. General Law of Education (Law No. 582, Gazette Official Daily of 08/03/06)

Art. 100. It is the students' rights:

- To participate in person in the ordinary and extraordinary meetings of the PCAPT and the PTRMCAPC.
- To maintain a close and active work relationship with the Director General.
- To stay updated by mail about the information related to the CAPP and the communications with the specialized State authorities and the Nicaraguan legislation.
- In the absence or limited temporary impossibility of the CAP Coordinator, he/she will be replaced in his/her role by the following positions that are part of the PCAPT:
 - The Elementary Counselor (ELC or ES).
 - The Middle or High School Counselor (MS or HS).

Art. 7 Permanent CAPP Teams

Besides the previously mentioned managing structures, ANS will count with two Permanent Teams of support to the implementation and operational intervention in CAP matters:

1. Permanent CAP Team, formed by:

- The CAP Coordinator.
- The substitutes of the Children and Adolescents' Protection Coordinator.
- The Principals.
- The Head Nurse.
- One teacher representing each educational level of the School (Early Learning Center, Elementary, Middle School, High School, etc.).
- One Administrator, designated Head, or Principal, depending on the needs.
- Specialized external consultants when required (for example, CAP experts, social workers, psychologists, lawyers, etc.).

It is the role of the Permanent CAP Team to ensure the existence at ANS of a thorough CAP Program and the year-on-year monitoring of the Program's effectiveness, including the following specific tasks:

- Ensure a thorough Children and Adolescents' Protection Program at the school.
- Work within and with the existing school structures to guarantee the development and adoption of a Children and Adolescents' Protection curriculum in relation to the needs of the same.
- Make sure that the Children and Adolescents' Protection curriculum is taught in the classrooms and annually evaluated.
- Support faculty and counselors in the implementation of the Children and Adolescents' Protection curriculum.
- Ensure and manage the professional development of all staff, including faculty and volunteers related to the CAPP.
- Ensure and manage an educational program for parents to support the comprehension of the objectives and goals of the Children and Adolescents' Protection Policy and the curriculum, including a plan to introduce the topic at meetings and in written communications sent to parents.
- Guarantee that the systems are working and being monitored to educate and commit the school volunteers in the Protection Program.
- Serve as a resource group in the work of cases where protection is required, doing so through reports and monitoring of disclosures to the interdisciplinary team or when deemed necessary.

The Permanent CAP Team will meet at least three times a year. The first meeting to plan the school year and the preparation of planned topics for the successful teaching of security lessons to staff. Subsequent meetings will evaluate the plan's implementation, make the necessary immediate adjustments, and make recommendations to improve the implementation in the next school year. The team must also evaluate and grade the teaching preparation, including those aspects where the teachers require additional preparation.

2. Permanent Team of Response and Management of CAP Cases

The Permanent Team of Response and Management of CAP Cases will meet every time they become aware of a case of abuse. This Permanent Team of Response and Management of CAP Cases will be made up as follows:

- The Director General (if the seriousness deserves it).
- The Coordinator of Children and Adolescents' Protection.
- The person that reported the case, when he/she is an adult.
- The Counselor, as case operator.
- The Principal or person responsible for the grade level where the case showed up.
- Others that the Director General decides.
- Depending on the case profile, an expert in Children and Adolescents' Protection.

CHAPTER II SUBSTANTIAL REGULATIONS

Art. 8 Abuse

It is considered abuse every isolated conduct, combination of, and sequence of active and omitting conducts that, individually or collectively, intentionally or accidentally, directly or in an induced way, carried out from a position of power or from real or alleged superiority, and even from an equal position, carried out, planned or accidental, executed or developing, and even considered at a planning stage, cause or may cause physical damage to a person or group of people, girl, boy, or adolescent, whether psychological or sexual, or that may have immediate, mediate, or subsequent consequences, degenerative of the personality or formation of values that the American Nicaraguan School accepts as an objective of its educational role in students.

Art. 9 Identification of Abuse

A possible abuse situation or the existence of environments favorable to the abuse of girls, boys, or adolescents can be identified:

- By the presence of signs, such as evidence or marks of physical damage that may have been caused by behavioral conduct, inside or outside of school.
- By unusual behavior manifestations of the boy, girl, or adolescent in their natural environments of interrelation.
- By unexpected reactions of the boy, girl, or adolescent in the presence of conducted or casual behavioral stimulus by school faculty or staff.
- By reactions of suppression or inhibition on the part of the boy, girl, or adolescent when addressing critical topics in or off the classroom.
- Through the detection of negligence from school teachers or support staff in CAP curriculum matters, or in the handling or management of the environments in which they participate.
- Through the detection of internet access to pages with dangerous or suggestive materials.

- By any other behavioral manifestation or material evidences that CAP trained teachers and support staff detect.

Art. 10 Behavioral Expectations in Adults at ANS

The definition and adoption of a CAPP in our educational environment expects and proposes that ANS staff, that practice direct teaching, management, administrative, and support tasks, be a model of responsibility and respectful conduct towards girls, boys, and adolescents that they relate to and work for. The personnel must take into consideration the social electronic media used as part of this community and their employer's expectations.

Art. 11 Adult Interactions with CAP

Adults that take part in the different ANS activities must considerate and develop, in the interactions and relationships with girls, boys, and adolescents, the following skills:

- Good communications and general disposition to listen to GBA.
- General understanding and kindness in their contact with GBA.
- Maintain, at all times, a disciplined and organized relationship between adults and girls, boys, and adolescents, being always respectful of a higher interest and the rights of the girls, boys, and adolescents.
- Behavioral consistency and impartiality, showing respect at all times.
- Demonstrating equality in all interactions with students.
- Tolerance, patience, and willingness to listen to all points of view.
- Recognition and respect of each GBA's individuality.
- Availability to listen and offer help to students in risk situation or abuse condition.
- Confidentiality in issues related to the GBA's protection developed in these regulations.
- Patience and understanding.
- Instill trust to GBA and a sense of safety.
- Immediate protection in front of any type of abuse, negligence, or harassment.

Art. 12 GBA's Interactions with Adults

In the interactions and relationships between adults and GBA, it is expected of GBA:

- To respect people and property.
- To respect teachers and staff in general.
- Tolerance towards others, staff and students.
- Honesty.
- Self-esteem and independence development.
- Ability to assimilate and learn from own mistakes.
- Willingness and disposition to express their feelings, ideas, and opinions within a courtesy framework.

Art. 13 Definition of Bullying

Bullying is defined as any type of verbal or physical abuse that a female student, male student, or group of students carry out intentionally and continuously against another female student, male student, or group of students.

The intention in this type of conduct is to humiliate or hurt the person that directly or indirectly suffers, or use such behavior as a means to demonstrate power or leadership to specific groups, attacking those considered as more frail or weaker by the offender.

The victim of *bullying* is the person that is continuously exposed to negative attitudes of another person or group of people.

Art. 14 Bullying

ANS strives to form a supportive, educational community, based on mutual respect and tolerance of each individual's differences. In connection with the achievement of this objective, the behavior known as *bullying* is considered at ANS as a very serious offensive behavior that cannot be nor will be tolerated. Besides the preventive and educational measures to avoid it, its detection and verification will lead to the adoption of disciplinary measures.

Any form of verbal or physical abuse on the part of one or more students against another student, that is repetitive and intentional, as defined in Article 14, will be considered Bullying. The objective or purpose of this type of conduct is always to humiliate or hurt another person. A person subject to bullying is one subdue to negative actions repeatedly by one or more persons.

At ANS, any conduct that has as purpose to humiliate or hurt another person will be treated as bullying, regardless of whether it adjusts to the typical descriptions gathered below in an illustrative but unrestrictive way. Every form of bullying is considered a seriously offensive conduct.

The Board of Directors, the Director General, the Administration, and the support staff at ANS, acting accordingly with the CAPP, will not tolerate bullying, will respond actively in front of the knowledge of its different ways of displaying, and, in return, will adopt the disciplinary measures.

Art. 15 Types of *Bullying*

Under the shelter of the definition included in Article 13, the following defined categories are considered by themselves as objective and typical manifestations of *bullying*; however, this is not an unrestrictive but illustrative list. Besides those listed next, any systematic conduct identified with the mentioned intention, even when it is aimed to different people not related among themselves, or with profiles object of dissimilar conduct, will be considered *bullying* and treated and sanctioned as such:

1. Verbal *Bullying*

Verbal bullying is demonstrated through oral or nonverbal language, that is, through words or gesticulations, and groups, among other possible ones:

- a. Insulting or offensive personal naming.
- b. Mockery in general.
- c. Propitiate in groups the mocking or disrespectful diversion of other persons for reasons of:
 - i. Their physical characteristics.
 - ii. Nationality.
 - iii. Religion.
 - iv. Ethnical origin.
 - v. Height or size.
 - vi. Different physical capacities.
 - vii. Family issues.
 - viii. Learning capacity.
 - ix. Athletic conditions.
- d. Use of inappropriate language (such as slandering) when referring to another person.
- e. Dissemination of lies or rumors about another person or other people.
- f. Externalize joy before someone else's misfortune or difficulty.
- g. Encourage others to fight, hurt in any form, harass, or make fun of another person or other people.
- h. Cause depression or low-esteem in another person or other people.
- i. Disseminate, in cyberspace or through any electronic device, disrespectful messages, being these text messages, social media publications (cyberbullying), being these against a particular person or determined by the reasons listed in paragraph *c* of this category.
- j. Use of threatening or confrontational language.

2. Bullying of Social Exclusion

It is considered *bullying* of social exclusion the conduct whose objective is to isolate or exclude one or different persons from the group integration processes by any of the following means, with the understanding that these are not limited:

- a. One of the members of the group does not allow another or other persons to play or participate in the group.
- b. Forming circles or groups in the recreational areas or in the passageways of the premises, making it difficult or blocking free circulation for others or forcing others to pass where the group wants.
- c. Cut off one or other persons from a conversation by using slang or a language unknown to this or these persons.
- d. Intentionally ignoring another or other persons.
- e. Refuse to establish friendship with another person, putting pressure on the groups or through these to isolate or exclude another or other persons from circles of friends.
- f. Cutting off another person from taking his/her place in a line or in a bus.

3. Physical *Bullying*

It is considered physical *bullying* the conduct where, with the same generic intention of *bullying*, there is physical contact with the victim or victims, without the need that the contact involves the use of force. Among the forms of physical *bullying*, we find the following, except that this list not limited:

- a. Push someone or cause a shove with the intention of hitting or making someone or others uncomfortable.
- b. Use limbs or joints, such as arms, legs, hands, elbows, knees, and fingers, or other objects, such as pencils, pens, rulers or stickers, to physically rummage into another person or into his possessions, or to pester or make this person uncomfortable in any way.
- c. Snatch or, in any form, take someone's garment or pieces of clothing to destroy, mistreat, or to simply cause distress in the person suffering the plundering.
- d. Come to blows.
- e. Damage someone else's property, be it of academic use or personal use.
- f. Carry out molestation or humiliating caresses or disdain.

4. *Bullying* in the Possession or Property (Extortion & Robbery)

It is classified as a form of *bullying* in the property, the conduct of lower scale in relation to the cost of the goods being affected, but with the intention of the person carrying it out not being their appropriation but to cause annoyance in the one suffering, using it as a basis for mockery or to display power, superiority, or to subdue, in some way, the will of the one suffering to the will of the executor.

When the cost of the affected goods is important or the purpose of the conduct is the mere misappropriation of another person's property, the conduct carried out will be treated as robbery and not *bullying* and will receive the suitable treatment.

Under this classification are included, among others that respond to the same purpose, the following:

- a. Take away the money or part of the money that another student takes to school.
- b. Take away his food.
- c. Without the owner's permission, make use of his goods or take them to hide them or mix them up.

5. Cyberbullying

d. It is considered Cyberbullying the conduct carried out using within campus, during school hours and/or during school organized activities, electronic technology that includes, among others, mobile devices, such as cellphones and tablets, fixed and portable computer equipment; as well as any form of communication, including, among others, social networks, text messages or electronic mails, rumors sent by email or placed in social network sites, or embarrassing photos, videos, webpages, or false profiles. The holders of the parental authority and/or guardian of the minor are responsible for the electronic activities that their son/daughter carries out outside of school and/or during school hours.

CHAPTER III PROCEDURES

Art. 16 Report of Abuse

In that all faculty and support staff must have knowledge and training in matters related to CAPP, they are obliged to exercise permanent surveillance in their direct and related work environments to detect any sign, no matter how minor it may be deemed, that could be interpreted as the existence of an abuse, abuse situation, or environment favorable for abuse, and to immediately report such condition to the Protection Coordinator by making use of the Generic Model of Abuse Report that he/she must prepare, and which must be updated by the Permanent CAP Team. The unfulfillment of this duty will be considered a serious offense and be subject to the corresponding sanctions.

Art. 17 Disclosure

When the sign of the existence of an abuse, risk situation, or favorable environment comes from the report or complaint of any male or female student, girl, boy, or adolescent, or from any teacher or support staff, this complaint or report must be received in a trustful environment, free of formalities at the beginning, so that the male or female student opens him/herself up to the listener, as per the following instructions:

- Convey tranquility to the male or female student and make him/her understand that reporting such condition is to exercise the right to safeness that the School must guarantee him/her, and that it is also his/her duty to do it; making him/her understand that informing his/her knowledge or suspicion of the existence of a situation must not generate in him/her any sense of guilt or lack of solidarity with the schoolmates that could be involved.
- Inform and make the male or female student that unveils the condition understand that his/her identity will be revealed to the CAP authorities as other adults and professionals must be informed in order to solve the situation and guarantee his/her safety.
- Do not confront, judge, or try to interrogate the student that makes the complaint or report. The male or female student must not feel forced; he/she must say only what he/she wants. The information provided will be communicated to the CAP authorities, and the process to go in depth in the disclosure will be the work object of specialists.
- Listen carefully to the student, hardly interrupting him/her and conveying trust. When convenient, the key words of his/her disclosure must be repeated in an attempt to clarify or amplify them, but not putting any pressure on him/her.
- When the male or female student is through with the disclosure, the person who received it must convey security guarantees to him/her and inform that, from there on, it will be up to this person to do what is appropriate.
- The person receiving the disclosure must understand that the girl, boy, or adolescent making it has chosen him/her as a subject of trust and must, therefore, make arrangements with the male or female student to continue with the conversation.
- The person receiving a disclosure from a male or female student should never try to do a physical examination on him/her, removing the clothing to check the signs of physical injury. Under no circumstances, the person receiving the disclosure must take pictures of the male or

female student, or the wounds, or the injuries. Any kind of physical examination or the taking of evidence corresponds exclusively to the professionals designated by the Permanent Team of Response and Management of CAP Cases.

- If the urgency demands it by the conditions of the moment when the information is received, the person receiving it shall immediately turn to the CAP Coordinator, notwithstanding the immediate preparation of the report according to the existing model. If the disclosure does not happen in the act, the person receiving it must inform the CAP Coordinator through the Model of Report within twenty-four hours after the disclosure.
- Under no circumstance, any teacher or support staff is authorized to conduct on his/her own any investigation related with the CAPP, and as of receiving the disclosure, he/she must follow the instructions of the CAP Coordinator or the corresponding school authority and the flowchart attached to these regulations.

Art. 18 Accusations or Authority Involvement

When the CAP Coordinator is accused or involved in the incident, situation, or environment, or if he/she has shown negligence with regards to the report, such situation shall be reported directly to the Director General, who will prepare minutes of the report. If the person involved or negligent were the Director General, the report should be presented to the Board of Directors through any of its members and, in turn, they will prepare the related minutes.

Art. 19 Immediacy of the Handling

The report of abuse, risk situation or environment must be dealt with immediately by the instance that receives it; not doing so constitutes a serious mistake.

Art. 20 Hierarchical Verticalness

In matters of CAP, no previous ordinary subordination will be observed by the person obliged by this policy to prepare a CAP report in regard to his academic or administrative hierarchical superiors because the only authorities empowered to receive reports related to CAP are:

- The CAP Coordinator.
- The CAP Coordinator Substitutes.
- The Director General.
- The Board of Directors.

It will be considered a minor disciplinary offense when a teacher or ANS collaborator resorts to his/her ordinary hierarchical superior, academic or administrative, to report incidents, situations, or behavioral suspicions against the CAP, instead of going to the CAP authorities. The ordinary hierarchical superior, academic or administrative, that receives a CAP report from a subordinate will have to send the person who has to do the report before the pertinent CAP authority, with a brief reference to the offense that the report's deviation entails; not doing so will be considered a serious disciplinary infraction of the hierarchical superior.

There is a diagram in an Annex to this CAP where the flow and hierarchy that regulates the processing of CAP reports is made known.

Art. 21 About the Identity in Cases of Disclosure

The identity of the student that discloses the case of abuse will be kept under the protection of the receiver, and he/she shall guarantee the male or female student doing the disclosure that his/her identity will not be known publicly, except by the competent authority to whom the disclosed situation must be reported revealing the identity. Should the statement of the male or female student doing the disclosure be required, the CAP authorities will take the appropriate measures to protect him/her.

Art. 22 Risk Suspicion

Whenever a report, complaint, or disclosure is received from a male or female student, it will be considered that he or she is in a risk situation and deserves protection, with the CAP Coordinator or his/her Substitutes having to take the pertinent measures.

Art. 23 Report's Immediacy

Every school teacher and support staff that has been alerted in any way or has become knowledgeable of a risk or abuse situation must immediately take the pertinent measures to deliver the report into the CAP Coordinator's or his/her substitutes' hands.

The Director General and the Board President shall be informed about the reports received within twenty-four hours of receipt and also about the state of any developing investigation at least once a week or whenever relevant information arises.

Whenever a teacher, official, or support staff must give an urgent report due to a developing situation, but the CAP authorities are not physically present at the school premises, he/she must immediately inform the official of higher rank, academic or administrative; when there is more than one of the same rank, to the one with higher seniority.

Art. 24 Responsibility for Late or Untimely Reports

The delay or omission in the generation of reports and in informing the CAP authorities about situations, incidents, or disclosures may hold the processing up or make it difficult, so it will be considered as a serious or very serious offense, depending on the importance, by whoever had the knowledge and had delayed or omitted its report.

Art. 25 No Reprisals

Unless there is irrefutable evidence of bad faith in the report, whoever did the report shall receive guarantees that there will be no reprisals of any kind against him or her.

Art. 26 Response and Management Sequence

Under his/her responsibility, the CAP Coordinator will order the immediate precautionary or preventative measures that he/she considers urgent as soon as a report, coming from any source (faculty, support staff, parents, or disclosure), is received. These measures will be carried out by the Permanent Team of Case Management.

Once the urgent measures have been ordered, the CAP Coordinator will present the report to the Permanent CAP Team to prepare the Report Minutes, establish its merit, classify the information, and define the treatment to be given.

Art. 26 Information Categorization and Treatment

The Permanent CAP Team will assess the report's information and prepare Report Minutes. The information will be categorized for treatment as follows:

- Lacking Merit.
- Insufficient.
- Simple Conduct Offense.
- CAP Risk Conduct or Situation.
- CAP Harmful Conduct.
- Penal Conduct.

Art. 27 Information Lacking Merit

It is considered as lacking merit any information that reflects merely circumstantial or isolated conditions that have not produced any immediate harm; that does not imply potentially harmful or abusive consequences; that by itself does not generate favorable environments for harm or abuse; that does not reflect in its procedure expressions of power, dominion, or submission; or that is not repetitive or a sequence of a previous situation.

When the report's information is categorized as Lacking Merit, minutes signed by the members of the Permanent CAP Team will be prepared with a concise description of the incidents, an identification of the source and the report's generator, as well as the list of the people, adults and minors, that took part in the incidents, with the purpose of determining its recurrence, identifying a possible typical situation in progress, and the recurrence of specific persons in these types of situations.

After categorizing the information as Lacking Merit, the Permanent CAP Team will order the cessation of the urgent measures ordered by the CAP Coordinator, and will give the explanations of the case to those affected by such measures on the basis of discretion, secrecy, and protection of identities.

Art. 28 Insufficient Information

When the Permanent CAP Team considers that the report information is insufficient for categorization and treatment, instructions will be passed on to the Permanent Management Team for the securing, in a short term, of supplementary information that will allow for categorization

and treatment of the case. While these orders are carried out, the precautionary or preventative measures will be kept. Minutes of the insufficiency categorization will be prepared with the purpose of improving the Report Models in future revisions.

Art. 29 Simple Conduct Offense

When at the discretion of the Permanent CAP Team, the information does not pose an abuse or risk situation, but an offense categorized as simple conduct offense of the female or male student or students, or a faculty or support staff disciplinary offense, this will be stated in the minutes prepared to that effect and will refer the case to the pertinent authorities.

When at the discretion of the Permanent Team, the incident or situation does not constitute a CAP risk or situation, but it is neither categorized as conduct or disciplinary offense according to the existing rules, they will recommend its inclusion to the Board in future revisions of such regulations.

Art. 30 Pre-Eminence of the CAPP

When at the discretion of the Permanent CAP Team, the incident, situation, or behavioral display has features of reference with the CAPP, the CAPP will be preferably applied instead of other regulations, even when it is categorized, and develop its treatment as such, under the principle that, when in doubt, the CAPP prevails over any other rules.

Art. 31 CAP Conduct or Situation of Risk

When the Permanent CAP Team considers that the information received is a Risk Conduct, on the understanding that no CAP injuries of any kind have materialized yet, but there is presence of objective or subjective elements, that is, material or personal that could turn into medium or long term injuries, they will instruct the CAP experts to carry out study of the conducts or situation for the recommendation of measures intended to correct the conduct or conducts, or to eliminate the existing situation.

Whenever the presence of a Risk Conduct or Situation is considered, the Permanent CAP Team will order the preventive measures, precautionary or preventative, that they consider appropriate and which will be valid until the experts' recommendations are approved.

Art. 32 CAP Harmful Conduct

When the Permanent CAP Team determines the existence of a conduct, concurrence of conducts, or behavioral sequence that causes injuries which deserve the CAP, provided that these are not considered penal offences by the Nicaraguan law, they will order the Permanent Team of Response and Management of CAP Cases to open an investigation file with the intervention and right to defense of those involved, as well as the immediate implementation of measures of intervention.

A case investigation must never exceed, under any circumstances, two weeks, after which the Permanent Team of Response and Management of Cases shall present a final report to the Permanent CAP Team, with definite recommendations. These recommendations could be approved or rectified by the Permanent CAP Team and divulged to those involved by no later than the third week after the investigation process initiated.

Art. 33 Penal Conduct

If from the report received or the investigations of the Permanent Team of Response and Management of CAP Cases, it turns out that the conduct or conducts reported are included within the Nicaraguan penal legislation as a crime liable to prosecution, they should be made of the knowledge of the Special District Attorney of the State Prosecutor and the Ministry of Education, through the Director General and as per instructions of the Board of Directors, preserving the evidence that may exist, keeping any sites of interest without alteration, and taking the administrative measures considered suitable regarding those involved.

Art. 34 Appeal Against the Permanent CAP Team's Decision

1. Revision

Those persons unsatisfied with the definite decision of the Permanent CAP Team will be able to present in writing, before the Team, on the same day and hearing where the decision is notified, or by no later than the following day, their disagreement and the causes of the same. The Permanent CAP Team will hear the rest of those involved on the following day of receipt of the revision pleas and, immediately after, on the same day, will take a decision confirming or correcting the original decision.

2. Appeal

Those persons dissatisfied with the revision decision of the Permanent CAP Team will be able to file an appeal in writing against the decision before the same Permanent CAP Team, on the same day of the notification or by a maximum of two subsequent days. The Permanent CAP Team will inform the rest of those involved, by no later than the following day, so that, within a period of two subsequent days, they can allege, in writing, what they consider appropriate, and will forward the complete file to the Board of Directors. The Board will have a maximum of one week, following receipt of the file, to pronounce their definite decision, which will not admit an ulterior appeal.

3. Preclusion and Silence

When those people involved let pass the terms granted to exercise their rights, these rights are understood as lost beyond hope of recovery and given up.

If the Permanent CAP Team does not deal with the revision or appeal within the established timeframe, their silence will be interpreted as a denial of what has been requested. If this were the case for a revision, it will be understood that the decision is confirmed, and that the term to

appeal before the Board of Directors will start for them. If this were the case for an appeal, and the term had expired for the Permanent Team to send the concluded file to the Board of Directors, not having sent it yet, the appellant will be able to present to the Board the same writing used for the appeal, asking the Board to order the Permanent Team to send the file. In this case, the Board will order the immediate remittal of the file by the Permanent CAP Team and will bring it into the knowledge of the others involved so that they can, in two days at the latest, argue in writing before the Board what they reckon, and will decide, by no later than a week, what may be proper in a final and not appealable way.

Art. 35 Penal Correctional Measures for Abuse and *Bullying*

Verified by means of the prescribed procedures for conduct or conducts considered as *bullying*, the following correctional measures will be imposed to the perpetrators, in a gradual, simple, or combined way, and in reference to its seriousness:

1. Monitored detention hours at school.
2. Offering apologies to those that suffered *bullying*, to the classmates, to groups or teams of any kind organized at school.
3. Work of interest to the educational community.
4. Signing of conduct commitments.
5. Conditional attendance or participation in activities.
6. Suspensions up to one month.
7. Cancellation of enrollment for next school period.

The appropriate CAP authorities, with motivation, may also agree other kind of measures or sanctions.

Art. 36 Parental Authority Cooperation

Parents, tutors, or persons responsible for the student must cooperate with ANS on the follow-up and compliance of the sanctions imposed. If it is considered that there is a lack of cooperation, this will be pointed out by the Director to those exercising parental authority in order to correct the situation. In case of a clear or declared lack of cooperation by those persons in these situations, after the Director General's reconsideration, these will be put on the academic record of the male or female student and, if the omission is not corrected, the male or female student's enrollment will be cancelled in the following school period.

CHAPTER IV

PERMANENT ACTIONS TO SUPPORT THE CAPP

Art. 37 Educational and Formative Actions

The CAPP Coordinator, together with the Counselors, will plan curricular and extracurricular workshops and thematic unities by which students will obtain specific information to comprehend which is an appropriate conduct and to express their opinions when they consider

that they or others are not being treated in a correct manner. Additionally, students will be educated on strategies for their own safeness based on case studies.

Art. 38 Communication Activities

The CAPP Coordinator will prepare an informative material that will be distributed to all students, teachers, support staff, and parents under the title “Who Can Help You.” This material shall be striking and will contain the names and contact information of the Counselors, CAP Coordinator, and those in CAPP-related positions at school.

This material will explain the behaviors and conducts that ANS expects from them, as well as those specific conducts that involve disciplinary procedures and sanctions. In addition, parents will receive the electronic version of the CAPP.

Art. 39 Parental Activities

The Director General will work closely with the parents, tutors, or the responsible persons accredited to exert parental authority on the students to ensure that BGA do not isolate to the school environment the positive effects of the CAPP, but transfer it to their homes and communities, thus having a more comprehensive knowledge and empowering their rights and duties, making their growth and learning in a safe and supportive environment possible.

ANS Executive Management will organize annual parent assemblies with the purpose of communicating CAPP related matters.

Training courses and workshops will be organized for parents so that families are informed, trained, and participate actively in the CAP efforts at home and within their communities.

Art. 40 Formative Activities and Training for Staff

Each year, the CAPP Coordinator will plan the formation and training of all school staff, teachers, and support staff, and will ensure the inclusion in CAP induction programs of new recruited staff during the planned annual execution.

All ANS staff and volunteers will be given inductive preparation that includes the CAPP and normative regulations. Temporary staff and volunteers working with girls, boys, and adolescents will be informed about the CAPP and must attend training sessions with the CAP Coordinator or Substitutes.

The CAPP Coordinator and Substitutes shall be sufficiently prepared and qualified to carry out their CAP work and interact with State institutions.

Every year, the CAP Coordinator shall receive training in knowledge updating; the CAP Coordinator's Substitutes shall receive it every two years.

The CAP Coordinator is responsible for the formation and training of all staff in CAP. The record of the CAP formation and training will be kept centralized in the Human Resources Office.

As part of the formation and training of the staff, faculty and support staff, there is an orientation to ensure that their own behavior and the activities that they take part in are not configured or constitute risk situations or give room for abuse reports to girls, boys, or adolescents. Likewise, they will receive assistance, advice, and accompaniment as to how to behave in situations such as personalized tutoring, personalized music lessons, sports training, and the appropriate way to communicate with students electronically. In addition, the training includes what the BGA expect from adults at school, including respect of their individuality, disposition, patience, understanding, equitable treatment, safety, and protection from every form of abuse, risk, injury, and any kind of *bullying*.

Personnel Manual: It is a document prepared by the Administrative Team and Human Resources containing the CAPP, bullying management, and CAP procedures. It will be given to all personnel, new and returning. The Internal Regulations for Staff shall also be included in this manual.

This provides more clarity and emphasizes that the BGA's protection is each and every one's responsibility. All staff will be updated in a cyclic way on the CAP Teams' procedures. Training and formation records will be in the custody of the Human Resources Office.

All personnel will be provided with a copy of the CAPP and asked to sign a statement each year that they have read the policy and understand it. As part of their contract, new personnel shall be required to read and sign the CAPP declaration during the hiring process. As soon as they are incorporated into ANS, every new member of staff will receive an introductory talk about the CAPP from the CAP Coordinator or any delegated school authority.

Art. 41 Campus Security

Access to ANS campus during regular school hours will be controlled by the security personnel at the access points. The visitors' access system shall ensure the identification and objective of the visit prior to entry authorization. Sensitive areas, like bathrooms and dressing rooms, will be permanently monitored by the designated staff. Security staff will be designated to do rounds and walks around all campus areas, at different times of the day. Any situation detected by the teaching or administrative staff that produces concern shall be reported to the CAP Coordinator for assessment and determination of actions to take if necessary. Teachers, administrative coworkers, and parents, in cooperation with the CAPP, can make any comments that they consider relevant regarding campus security, following the same communication channels of the CAPP flowchart and hierarchy.

The boys, girls, and adolescents must be supervised at all times and places, particularly in playing areas. The list of security staff will indicate the names of the guards, their designated areas, and schedules. Outer doors shall remain locked and will only be opened to visitors when the identification and authorization procedure has been verified; ANS staff, teachers, and

administrative coworkers shall carry different identification badges to identify the visitors' entry and exit times, as well as the places where they can stay or circulate.

If there was a special concern for the security of a specific minor, the ANS Management will instruct extraordinary measures.

The procedure established for the handing over and picking up of children must be thoroughly monitored and executed. Parents or those ANS accredited persons exercising parental authority must previously inform the school when they send a different person to pick up the minors. ANS will set up a phone extension for this purpose and, additionally, will provide a personal identification number code to parents or to whoever exercises the parental authority to authorize the minor's picking up, keeping the code confidential as a security measure. Cellphone and land line numbers of parents, or of whoever exercises parental authority, or of the minors must not be revealed by ANS to third persons, unless express consent has been given by the parents or whoever exercises the parental authority for the minors.

GLOSSARY

Children & Adolescents' Protection Coordinator (CAPC): ANS officer exclusively dedicated to the operational implementation of the Children & Adolescent's Protection Policy, directly subordinated to the Board of Directors.

Children & Adolescent's Protection Curriculum: The academic plan of continuous CAP education, aimed for students at all grade levels and areas, as well as faculty and administrative personnel at all ANS grade levels and areas, which is included in the students' Curriculum and in the hiring procedure and performance assessment of teachers and administrative coworkers.

Director General: The ANS authority that, subordinated to the Board of Directors, manages the general daily activities at ANS, coordinates the work of Principals at all levels and areas, and cooperates operationally with the Children & Adolescents' Protection Coordinator.

Permanent CAP Team (PCAPT): An interdisciplinary team integrated according to Art. 7.1 of these rules, which meets the functions pointed out by Art. 7.1.

Permanent Team of Response & Management of CAP Cases (PTRMCAPC): An interdisciplinary team integrated according to Art. 7.2 of these rules, which meets the functions pointed out by Art. 7.2.

Board of Directors: According to the ANS Bylaws, it is the highest authority of the institution. In CAPP matters, it is the highest constituted authority, approves the CAPP, the CAP Curriculum, and solves the CAP-related matters filed as appeal.

Urgent, Precautionary, and Preventative Measures: The provisional or immediate orders that, in the presence of the knowledge of an incident or risk situation, are given by the CAP Coordinator or any higher authority in CAP matters to interrupt a developing event, preserve evidence, or provide immediate security to real or potential victims, notwithstanding the preparation of reports and the case processing.

Report Minutes: A document produced by the PCAPT after the receipt of reports to initiate the process.

Model of Report: A printed document prepared by the PCAPT, accessible and of the knowledge of all personnel, teaching and administrative, easy to fill out, and which must be placed in the hands of the CAP Coordinator as soon as possible as of the moment when one becomes aware, by any means, of the existing risk event or situation.

Children and Adolescents' Protection Policy and Rules (CAPP): The document prepared each year by the PCAPT and approved by the Board of Directors which defines the CAP and regulates all educational, preventive, processing, and correcting actions and procedures for CAP risk events and situations.

Report: The act that, in compliance with the duties imposed by the CAPP, must carry out each and every ANS teacher or administrative coworker when aware, by any means, of incidents, presumption or suspicion, or risk situation related to the CAP, which is carried out with a Model of Report.

Disclosure: The act by which a male or female student, in an environment of trust, makes any teacher or administrative coworker aware of the existence of incidents, developing events, or risk situations, being that these incidents, events, or situations affect him/her as a victim, as participant, or by simply being aware of them.

Risk Situation: Any situation that in some way poses, for a person or for whoever notices it, a CAP danger, being this by the flow of ANS-related persons or by outsiders, or by the determination of places, inside or outside campus.

CAPC Substitutes: Officers that in their contractual duties, without an exclusive role, as is the case of the CAPC, substitute him/her in momentary absence from campus or because the situation demands immediate intervention. They receive specialized education and training and are part of the PCAPT.

Victims of Abuse: The girl, boy, or adolescent that directly suffers the consequences of conducts that threaten his/her security and the protection that ANS must provide.

FLOW CHART: FROM THE REPORT OF THE EVENT UP TO THE INITIATION OF THE INVESTIGATION

CAP Hierarchy of Authorities	Executive Authority	CAP Events	Recipient of Event's Information	Recipient's Immediate Action	CAPC's Actions	PCAPT's First Actions
<ul style="list-style-type: none"> • Board of Directors • Director General • CAPC • PCAPT • PTRMCAPC • Senior Teacher • Senior Coworker 	CAPC	<ul style="list-style-type: none"> • Crime • Abuse • Bullying • Risk Situation • Suspicions • Disclosure • Suggestion for Improvement 	<ul style="list-style-type: none"> • Teacher • Member of Staff • Parents • Volunteers 	<ul style="list-style-type: none"> • If the incident is a crime, according to the Nicaraguan legislation, informs the Attorney General's Office and the Director General • Produces and hands over a report to the CAPC or Substitutes where appropriate 	Orders precautionary or preventative measures to PTRMCAPC	Assesses the report's information
		Developing incident		Contacts the CAPC	Submits report to PCAPT	Gives instructions to PTRMCAPC to collect supplementary information and evidence
		Orders precautionary or preventative measures to PTRMCAPC		Opens CAP instructions		

DEVELOPMENT OF THE INVESTIGATION FROM THE INITIATION UP TO THE FINAL RESOLUTION

Authorities' Actions		Actions of People Involved
PCAPT	Director General	CAP / Victim (Representative) / Suspects
<ul style="list-style-type: none"> • Notifies the initiation of the investigation to the people involved • Notifies the initiation of the investigation to the parents of the people involved • Orders the PTRMCAPC to gather legal evidence • Decides the case hearing • Listens to the initial allegations of the CAPC and the parents of the victim, if any • Listens to the initial statements of the accused persons and their parents, when it comes to minors • Receives the evidences at a hearing with the persons involved • Listens to the closing allegations of the persons involved • Issues a resolution at a hearing • Notifies the resolution in writing • Notifies the Director General to instruct the compliance of the resolution 		<ul style="list-style-type: none"> • Participates in the hearing • Formulates the opening allegations • Provides evidence • Formulates closing allegations • Listens to the resolution • Receives communication about the resolution
<ul style="list-style-type: none"> • Receives a request for review • Notifies the review to the persons involved • Summons the persons involved to a review hearing • Listens to allegations in review • Issues a resolution in review • Receives request of appeal with grievances of the appellant • Notifies the persons involved about the appeal • Receives grievance arguments from the appellee • Sends the file to the Director General (Board of Directors where necessary) 		<ul style="list-style-type: none"> • If in disagreement with the resolution, requests a review and expresses grievances (appellant) • Receives communication on the review and replies to grievances (appellee) • Participates in the review hearing and formulates allegations • Listens to the review resolution • Receives communication about the review resolution • If any of the persons involved disagrees, he/she lodges an appeal with grievance expressions (appellant) • Receives communication of appeal and replies in writing to grievances
	<ul style="list-style-type: none"> • Summons appeal hearing • Listens to the appellant's allegations • Listens to the appellee's allegations • Issues a final resolution • Instructs the compliance of the resolution 	<ul style="list-style-type: none"> • Participates in the Appeal hearing and formulates oral allegations (grievances & replies) before the Director General • Listens to the Director General's final resolution • Receives written communication on the final resolution • Complies with that which is ordered in the final resolution