



# Ardnagrath National School

Ardnagrath

Co. Westmeath

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## Introduction and Rationale:

The staff, parents and management of Ardnagrath School developed and agreed this policy on child protection in line with the recommendations and guidelines relating to child abuse prevention and child protection guidelines. *It was ratified by the Board of Management in January 2011. This policy has been updated in January 2012 in response to the publication of the following documents:*

- Circular 65/2011 - 'Child Protection Procedures for Primary and Post Primary Schools' (DES)
- 'Children First: National Guidance for the Protection and Welfare of Children' (Dept of Children and Youth Affairs)
- Child Protection Guidelines for Primary and Post Primary Schools (DES)

This document further develops previous policy in this area and takes account of the provisions of the following pieces of legislation:

- The Education Act 1998
- The Education Welfare Act 2000
- The Protection for Persons Reporting Child Abuse Act 1998
- Data Protection Acts 1998 and 2003
- Freedom of Information Acts 1997 and 2003

The Board of Management recognises that child protection and welfare considerations permeate all aspects of school life and must be reflected in all of the school's policies, practices and activities. Accordingly, in accordance with the requirements of the Department of Education and Skills' Child Protection Procedures for Primary and Post Primary Schools, the Board of Management of Ardnagrath National School has agreed the following child protection policy: **The Board of Management has adopted and will implement fully, and without modification, the Department's Child Protection Procedures for Primary and Post Primary Schools as part of this overall child protection policy.**

The Designated Liaison Person (DLP) is **Siobhan Flynn**

The Deputy Designated Liaison Person (Deputy DLP) is **Amelia Keena**

*An individual copy of this policy will be made available to all staff. It is incumbent on all to familiarise themselves with “Children First- National Guidance for the Protection and Welfare of Children” (2011) and the DES “Child Protection Procedures for Primary and Post – Primary Schools” copies of which are kept in the school office.*

In its policies, practices and activities, Ardnagrath National School will adhere to the following principles of best practice in child protection and welfare:

The school will

- recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;
- fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters
- adopt safe practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect;
- develop a practice of openness with parents and encourage parental involvement in the education of their children; and
- fully respect confidentiality requirements in dealing with child protection matters.

The following policies which are relevant to Child Protection are in place in the school:

*Code of Behaviour, Anti Bullying Policy, Attendance Policy, Supervision Policy and Tour/Outing Policy.*

A copy of the school’s child protection policy which includes the names of the Designated Liaison Person (DLP) and Deputy DLP is available to all school personnel and the Parents’ Association and is accessible to parents on request. A copy of this policy will be made available to the Department and the patron if requested.

The names of the Designated Liaison Person are displayed in the school.

### **Relationship to Characteristic Spirit of the School**

Our school ethos is one which promotes a caring, positive, supportive and secure environment where all pupils feel valued. This document strengthens and protects that ethos.

### **Aims:**

- To establish and maintain an environment where children feel safe and secure, are encouraged to talk and are listened to
- To ensure that all staff members understand their responsibilities in being alert to signs of abuse and that they know the correct procedures for reporting and recording any such incidences
- To ensure that parents have an understanding of the legal obligations placed on the school and staff to report incidences of child abuse

- To ensure that children know that there are adults in the school that they can approach if they are worried
- Provide a personal safety skills education, which specifically addresses abuse prevention for all children in the school.
- Develop awareness and responsibility in the area of child protection amongst the whole school community.
- Put in place procedures for good practice to protect all children and staff.
- Ensure that all staff members are aware of and familiar with the 'Children First' and the DES guidelines and procedures in relation to reporting concerns and/or disclosures of child abuse.

### **Prevention**

The Stay Safe programme is the primary resource used in this school to provide education for children on abuse prevention. The programme is taught as part of the schools' SPHE curriculum under the strand unit Safety and Protection.

The formal lessons of the programme will be taught in accordance with the school plan for SPHE. All topics of the programme will be covered.

Staff will make every effort to ensure that the messages of the programme are reinforced whenever possible.

### **Practice:**

The following have been considered by the staff and Board of management of the school as specific areas of concern in relation to child protection. Following discussion and consultation the staff and board of management has agreed the following practices be adopted and that all parents should be informed of school practice in relation to child protection issues.

#### **a) Physical Contact:**

Physical contact between school personnel and the child should always be in response to the needs of the child and not the needs of the adult. While physical contact may be used to comfort, reassure or assist a child the following should be factors in determining its appropriateness –

It is acceptable to the child.

It is open and not secretive.

The age and development stage of the child.

School personnel should avoid doing anything of a personal nature for children that they can do for themselves.

#### **b) Visitors / Guest speakers**

Visitors / guest speakers should never be left alone with pupils. It is the responsibility of the school principal/teacher to check out the credentials of the visitor / guest speaker and to ensure that the material in use by guests is appropriate.

#### **c) Toileting accidents:**

Clean underwear and suitable clothing will be kept in the school so that if a pupil has an 'accident' of this nature they will, in the *first instance*, be offered fresh clothing to clean and change themselves.

If staff must clean /change the child, **two** members of staff familiar to the child (in most cases the Infant Teacher) will attend to him/her  
A record of the incident should be kept and Parents will be notified of such incidents.

**d) One-to-One teaching:**

It is the policy in this school that one-to-one teaching is often in the best interest of the child. Every effort will be made to ensure that this teaching takes place in an open environment. Parents of children who are involved in one-to-one teaching will be informed and their agreement sought. Work by the SNA will be carried out under the direction of the class teacher in an open environment.

**e) Changing for Games/PE/Swimming**

Pupils will be expected to dress and undress themselves for games/PE/swimming. Where assistance is needed this will be done in the communal areas and with the consent of parents. Under no circumstances will members of staff/volunteers be expected to or allowed to dress/undress a child in a cubicle/private area. In such situations where privacy is required the parent/guardian of the child will be asked to assist the child. During swimming lessons, female staff members will assist in the female changing areas and male staff will assist in the male changing areas. Parents and Guardians can assist as necessary. At all times there must be adequate supervision of pupils while every effort will be made to adhere to best practice as agreed and outlined above. In the case of an emergency where this is not possible or practicable a full record of the incident should be made and reported to the principal and parents.

**f) Children with specific toileting/intimate care needs: (Special Needs)**

If a situation arises where a pupil needs assistance with toileting/intimate care a meeting will be convened, after enrolment and before the child starts school, between Parents/Guardians, class teacher, SNA, Principal and if appropriate the pupil. The purpose of the meeting will be to ascertain the specific needs of the child and to determine how the school can best meet those needs. The staff to be involved in this care will be identified and provision will be made for occasions when the particular staff members involved are absent. A written copy of what has been agreed will be made and kept in the child's file.

*Where necessary (and if possible) two members of staff will be present when dealing with intimate care/toileting needs. Any deviation from the agreed procedure will be recorded and notified to the parents/guardians.*

**g) Internet Safety / School Website**

Pupils will not be given access to the Internet without teacher supervision.

Particular care will be taken where photographs of pupils are being used on the school website. Written consent is required from parents / guardian at the beginning of the school year authorising the school to use images on the web. Personal pupil information including home address and contact details will be omitted from school web pages.

## **Procedures:**

All staff in this school will follow the recommendations for reporting concerns or disclosures as outlined in 'Children First' and the Department of Education and Skills 2011 publication, 'Child Protection Procedures for Primary and Post Primary Schools'

- All concerns / disclosures involving child protection / child welfare issues will be reported in the first instance to the DLP.

### **Confidentiality**

All information regarding concerns of possible abuse should only be shared on a need to know basis in the interests of the child. Giving information to those who need to have that information for the protection of a child who may have been or has been abused is not a breach of confidentiality.

The DLP who is submitting a report to the Health Board or An Garda Síochána *should inform* a parent/guardian, unless doing so is likely to endanger the child or place that child at further risk. A decision not to inform a parent/guardian should be briefly recorded together with the reasons for not doing so.

In emergency situations, where the Health Board cannot be contacted, and the child appears to be at immediate risk, An Garda Síochána should be contacted immediately. A child should not be left in a dangerous situation pending Health Board intervention.

### **Protection for Persons Reporting Child Abuse**

The Protection for Persons Reporting Child Abuse Act 1998, provides immunity from civil liability to any person who reports child abuse '*reasonably and in good faith*' to designated officers of Health Boards or any member of An Garda Síochána.

This means that even if a reported suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the reporter had not acted reasonably and in good faith making the report.

The act provides significant protection for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including dismissal.

### **Qualified Privilege**

While the legal protection outlined above only applies to reports made to the appropriate authorities (i.e. The Health Boards and An Garda Síochána), Common Law qualified privilege continues to apply as heretofore. Consequently, should a Board of Management member or school personnel furnish information with regard to suspicions of child abuse to the Designated Liaison Person or the Board of Management Chairperson, such communication would be regarded under common law as having qualified privilege.

### **Freedom of Information Act 1997:**

Reports made to Health Boards may be subject to provisions of the Freedom of Information Act 1997, which enables members of the public to obtain access to personal information relating to them which is in the possession of public bodies. However the act also provides that public bodies may refuse access to information obtained by them in confidence.

### **Curricular Implications**

**The Stay Safe Programme** is an integral part of the SPHE curriculum in our school which addresses personal safety. The Stay Safe Programme is taught in every class.

Other resources are the RSE Programme.

### **Role of Designated Liaison Person**

#### **Appointment of the Designated Liaison Person**

The Board of Management has designated *Siobhan Flynn* as the person who has specific responsibility for Child Protection. She will be the Designated Liaison Person for the school in all dealings with health boards, Garda Siochana and other parties, in connection with allegations of abuse. Those other parties should be advised that they should conduct all matters pertaining to the processing or investigation of alleged child abuse through the Designated Liaison Person.

Where the Designated Liaison Person is unavailable, *Amelia Keena* has been nominated to assume her responsibilities, as the Deputy Designated liaison Person.

The Designated Liaison Person or her nominated replacement, shall immediately inform the Chairperson of the Board of Management of the school that a report involving a pupil in the school has been submitted to the relevant Health Board or the Gardai.

The DLP shall also inform the school authority of the number of cases where the DLP submitted a report to the HSE or Gardai or sought advice from the HSE and as a result of this advice, no report was made. At each Board of Management meeting, the Principal's report shall include the number of all such cases and this shall be recorded in the minutes of the board meeting.

#### **Actions to be taken by the Designated Liaison Person:**

- If a school employee receives an allegation or has a suspicion that a pupil is being abused, he/she should report the matter to the DLP. The need for confidentiality is essential.
- If the school employee and the DLP are satisfied that there are reasonable grounds for suspicion or allegation, the DLP should report the matter immediately to the relevant Health Board
- A report should be made in person, by phone or in writing to the social worker on duty. Personal contact with the social worker is preferable, to allow for the transfer of as much information as possible
- In the event of an emergency or the non-availability of Health Board staff, the report should be made to An Garda Siochana

- The report should include as much information as possible on the Standard Reporting form
- The Chairperson of the Board of Management should be informed at this point
- The parents/guardians of the child will be informed also, unless doing so is likely to endanger the child or place the child at further risk. A decision not to inform the parents/guardians should be recorded briefly along with the reason for not doing so
- Where school personnel have concerns about a child, but are unsure whether to report the matter, the DLP shall seek appropriate advice, by consulting with Health Board staff. **She shall be explicit that she is not making a report but is requesting advice.** It would not be envisaged that the DLP would supply identifying details at this informal stage, as are required when making a report. If a Health Board advises that a referral should be made, then the DLP should act on that advice
- If, following discussions, the DLP decides that the matter should not be formally referred to the Health Board, then she should give a clear statement, in writing to the school employee, as to the reasons why action is not being taken. The school employee should be advised that if he/she remains concerned, about the situation, he/she is free to consult with or report to the Health Board again.
  - It is essential that at all time these matters be treated in the strictest confidence.

## **The Role of the Board of Management**

The most important consideration to be taken into account by a Board of Management is the protection of children, and their safety and well-being must be a priority. However, because of the involvement of school employees, the Board of Management has duties in respect of them as well.

As employers, Boards of Management should note that legal advice should always be sought in these cases.

There are two procedures to be followed:

- The reporting procedure in respect of the allegation
- The procedures for dealing with the employee

In the case of primary schools, the DLP is responsible for reporting the matter to the appropriate Health Board, while the Chairperson of the Board of Management, acting in consultation with his/her Board, is responsible for addressing the employment issues.

However, where the allegation of abuse is against the DLP, the Chairperson of the BoM will assume responsibility for reporting the matter to the Health Board.

The primary aim of the Board of Management is to protect the children within the school to whom they have a duty of care. However, school employees may be subject to erroneous or malicious allegations and therefore any threat of abuse should be dealt with sensitively, and the employee fairly treated.

## **Reporting Procedure**

Where an allegation of abuse is made against a school employee, the DLP within the school should immediately act in accordance with the procedures outlined in Chapter 3, paragraph 3.2 of the DES Guidelines. A written statement of the allegations should be sought from the person/agency making the allegation.

School employees, other than the DLP, who receive allegations of abuse against another school employee, should report the matter without delay to the DLP as outlined in Paragraph 3.1.2 of the DES Guidelines.

School employees who form suspicions regarding the conduct of another school employee should consult with the DLP. The DLP may wish to consult with the appropriate Health Board. If the DLP and the school employee are satisfied that there are reasonable grounds for the suspicion, the DLP should report the matter to the relevant Health Board immediately. The DLP should also report the matter to the Chairperson of the Board of Management.

### **Action to be taken by Chairperson**

When a Board of Management Chairperson becomes aware of an allegation of abuse against a school employee, the chairperson should privately inform the employee of the following:

- The fact that an allegation has been made against him/her
- The nature of the allegation
- Whether or not the matter has been reported to the appropriate Health Board by the DLP

The employee should be given a copy of the written allegation and any other relevant documentation. The employee should be requested to respond to the allegation in writing to the Board of Management within a specified period of time. The employee should be told that his/her explanation to the Board of Management would also have to be passed on to the Health Board. At this stage, it should be remembered that the first priority is to make sure that no child is exposed to unnecessary risk. The Board of Management Chairperson should, as a matter of urgency, take any necessary protective measures. These measures should be proportionate to the level of risk and should not unreasonably penalise the employee, financially or otherwise, unless necessary to protect children.

If, in the Chairperson's opinion, the nature of the allegations warrants immediate action, the Chairperson, on behalf of the Board of Management, should direct that the employee absent him/her from the school with immediate effect. When the Chairperson is unsure as to whether the nature of the allegations warrants the absence of the employee from school while the matter is being investigated, she /he should consult with the Childcare Manager of the local Health Board, and/or Garda Síochána for advice as to the action that those authorities might consider necessary. Following these consultations, the Chairperson should have due regard for the advice offered.

Any absence by a school employee would be regarded as administrative leave of absence with pay, and not a suspension. Such a leave of absence would not imply any degree of guilt



on the part of the school employee. Where such leave of absence is invoked, the DES should be contacted with regard to:

- Formal approval for the paid leave of absence of the school employee
- Departmental sanction for the employment of a substitute teacher.

### **Role of Staff Member (teachers, S.N.A.s secretary)**

It is the role of all staff members to be observant of all pupils in their care and to report any suspicion of abuse or disclosure immediately to the DLP or in her absence, the Deputy DLP. When recording any information in writing, it is vital that this is totally factual and quotes the child exactly.

It is also a requirement that all matters pertaining to suspicions of abuse or actual abuse be treated with the strictest confidence.

**Recognition of Abuse:** Child abuse can often be difficult to identify and may be present in many forms. Concerns about child protection and welfare should be shared by staff with senior management.

There are commonly three stages in identification of child abuse:

- Consider possibility
- Look out for signs of abuse
- Record information

**Consider possibility:** Possibility of child abuse should be considered if a child appears to have suffered suspicious injury for which no reasonable explanation can be offered.

a child is distressed without obvious reason or displays persistent or new behavioural problems.

a child displays unusual or fearful response to carers/parents.

**Look for signs of abuse:** Signs of abuse can be physical, behavioural or developmental. Pattern of signs is likely to be more indicative of abuse. Children may hint they are being harmed and may make disclosures. **Disclosures should always be believed.** Less obvious signs could be gently explored with the child without direct questioning. Play situations and drawing may reveal information. It is important to always be open to alternative explanations for physical or behavioural signs of abuse.

**Record Information:** If abuse is suspected, it is important to establish ground for concern by obtaining as much **detailed information** as possible. **Observations** should be accurately **recorded** and should include **dates, times, names, locations, context** and any relevant information. They should be given to the DLP.

### **Reasonable Grounds for Concern**

- Specific indication from child that she/he was abused
- Account by person who saw child being abused
- Evidence such as injury or behaviour which is consistent with abuse and unlikely to be caused another way
- Injury or behaviour consistent with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse
- Consistent indication over period of time that child is suffering from emotional or physical neglect

It is important that persons reporting suspected child abuse to a Health Board should *establish basis* for their concerns. A suspicion which is not supported by any objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern. They should not interview a child or child's parents/carers without first consulting with the Health Board.

**Impediments to Reporting of Child Abuse:** Abuse is difficult and to some a distasteful subject. The belief that parents or persons in charge of children would hurt or neglect them is hard to sustain. Therefore it is easy to deny, minimise or explain away any signs that a child is being harmed even when evidence exists. At times it is hard to distinguish between abusive situations and those where other social problems are present. Sympathy for families in difficult circumstance can sometimes dilute personal or professional concerns about safety and welfare of children.

Reluctance to act on suspicions can often stem from uncertainty and fear. Professionals may be afraid of repercussions, afraid of breaking confidence, afraid of being disloyal, afraid of being thought insensitive.

It is most important that we do not let any of the above impede us in reporting child abuse. The Protection for Persons Reporting Child Abuse Act 1998 provides immunity from civil liability to persons who report reasonably and in good faith to designated officers of the Health Board or any member of An Garda Síochána.

### **Other Considerations**

**Special Needs:** The Stay Safe Programme will be taught each year. Where there are children with limited academic ability, the content and activities of the lesson will be differentiated to help them to understand the message of the lesson.

**Supervision:** During breaks, all pupils are supervised by teachers in the school yard.

### **Peer Abuse**

- Where there are allegations or suspicions of peer abuse, the DLP will follow the same procedures:

- Parents of all parties will be notified and the DLP will inform the BoM Chairperson
- Principal and class teachers will make arrangements to meet separately with all parents, to resolve the matter

The school will make arrangements to minimise the possibility of the abusive behaviour recurring

**Bullying:** Bullying behaviour will be addressed under our Anti-Bullying policy. If the behaviour involved is of a sexualised nature or regarded as being particularly abusive then the matter will be referred to the DLP.

### **Organisational Implications**

#### **Supervision**

School supervision policy and routines will be followed by all staff to ensure that there is adequate supervision of children at all breaks and before school (from 9a.m.)

#### **Behaviour**

Children are encouraged at all times to play co-operatively and inappropriate behaviour will be addressed under our Code of Discipline. If an incident occurs which we consider to be of a sexualised nature we will notify the DLP who will record it and respond to it appropriately.

#### **Swimming**

Children must be able to dry and dress themselves after swimming lessons or else parents or another person designated by parents must attend to assist the child.

#### **Children travelling in staff cars**

Teachers will not carry children alone in their cars. At least two children must travel with the teacher in the car or another adult and the child

#### **Induction of Teachers and Ancillary Staff**

The DLP will be responsible for informing all new teachers and ancillary staff of this policy and the Children First Guidelines (1999).

#### **Dealing with children on a one-to-one basis**

If a staff member has to work/deal/communicate with children on a one-to-one basis, they are requested to do so in an open environment.

#### **Attendance**

With regards to child protection we will pay particular attention to trends in non attendance. We will also monitor non-attendance in correlation with signs of neglect/ physical/ emotional abuse.

#### **Tour / School Outings**

Every care will be taken to ensure the safety of children while on any school outing activity - i.e. planned outline of itinerary , adequate supervision etc.

## **Implementation and Review**

This policy will be implemented with immediate effect from *12<sup>th</sup> March 2012*. It will be reviewed by the Board of Management on an annual basis, following the check-list for review as outlined in Circular 65/2011. The school will put in place an action plan if necessary to address any area for improvement identified by the review. The Board of Management will make arrangements to inform school personnel that the review has been undertaken. Written notification, that the review has been undertaken shall be provided to the Parents' Association

*This policy was approved and adopted by the Board of Management on 12th March 2012*

Signed..... Chairperson Date

Signed..... Principal Date

## Appendix 1

### Checklist for the Board of Management Annual Review of the Child Protection Policy

|  | YES/NO |
|--|--------|
| Has the Board formally adopted a child protection policy in accordance with the 'Child Protection Procedures for Primary and Post Primary Schools'?  |        |
| As part of the school's child protection policy, has the Board formally adopted, without modification, the 'Child Protection Procedures for Primary and Post Primary Schools'?   |        |
| Are there both a DLP and a Deputy DLP currently appointed?   |        |
| Are the relevant contact details (HSE and An Garda Síochána) to hand?  |        |
| Has the DLP attended available child protection training?  |        |
| Has the Deputy DLP attended available child protection training?   |        |
| Have any members of the Board attended child protection training?  |        |
| Has the school's child protection policy identified other school policies, practices and activities that are regarded as having particular child protection relevance?   |        |
| Has the Board ensured that the Department's "Child Protection Procedures for Primary and Post Primary Schools" are available to all school personnel?  |        |
| Has the Board arrangements in place to communicate the school's child protection policy to new school personnel?   |        |
| Is the Board satisfied that all school personnel have been made aware of their responsibilities under the 'Child Protection Procedures for Primary and Post Primary Schools'?  |        |
| Since the Board's last annual review, was the Board informed of any child protection reports made to the HSE/An Garda Síochána by the DLP?   |        |
| Since the Board's last annual review, was the Board informed of any cases where the DLP sought advice from the HSE and as a result of this advice, no report to the HSE was made?  |        |
| Is the Board satisfied that the child protection procedures in relation to the making of reports to the HSE/ An Garda Síochána were appropriately followed?  |        |
| Were child protection matters reported to the Board appropriately recorded in the Board minutes?   |        |
| Is the Board satisfied that all records relating to child protection are appropriately filed and stored securely?  |        |
| Has the Board ensured that the Parents' Association has been provided with the school's child protection policy?   |        |
| Has the Board ensured that the school's child protection policy is available to parents on request?  |        |
| Has the Board ensured that the Stay Safe programme is implemented in full in the school?   |        |
| Has the Board ensured that the SPHE curriculum is implemented in full in the school?   |        |
| Is the Board satisfied that the Department's requirements for Garda Vetting have been met in respect of all school personnel (employees and volunteers)?   |        |
| Is the Board satisfied that the Department's requirements in relation to the provision of a child protection related statutory declaration and associated form of undertaking have been met in respect of persons appointed to teaching and non- |        |

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|---|--|
| teaching positions?   |  |
| Is the Board satisfied that, from a child protection perspective, thorough recruitment and selection procedures are applied by the school in relation to all school personnel (employees and volunteers)? |  |
| Is the Board satisfied that the 'Child Protection Procedures for Primary and Post Primary Schools' are being fully and adequately implemented by the school?  |  |

|  |  |
|--|--|
| Has the Board identified any aspects of the school's child protection policy and/or its implementation that require further improvement?   |  |
| Has the Board put in place an action plan containing appropriate timelines to address those aspects of the school's child protection policy and/or its implementation that have been identified as requiring further improvement ? |  |
| Has the Board ensured that any areas for improvement that that were identified in any previous review of the school's child protection policy have been adequately addressed?  |  |
|  |  |
|  |  |

Signed \_\_\_\_\_ Chairperson Board of Management Date .....

Signed \_\_\_\_\_ Principal Date .....

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Notification regarding the Board of Management's annual review of the child protection policy

To: \_\_\_\_\_

The Board of Management of Ardnagrath N.S. wishes to inform you that:

- The Board of Management's annual review of the school's child protection policy was completed at the Board meeting held on \_\_\_\_\_20

- This review was conducted in accordance with the checklist set out in the Department's 'Child Protection Procedures for Primary and Post Primary Schools'

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Chairperson, Board of Management

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Principal