

# **STUDENT/CHILD ABUSE AND NEGLECT**

## **Guidelines/Policy - SAMPLE**

The Board of Education is concerned with the physical and mental well-being of the students of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Each professional staff member employed by this District who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The professional staff member shall immediately call the local office of the Department of Social Services and shall secure prompt medical attention to any such injuries reported.

She/He shall also notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect.

Any support staff member who has reasonable cause to suspect child abuse or neglect shall immediately report any such case to his/her supervisor who shall, in turn, immediately notify the Department of Social Services.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. A reporting staff member shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the District is a violation of the law and subjects the disseminator to civil liability for resulting damages.

Building administrators should be mindful of the possibility of physical or mental abuse being inflicted on a student by a staff member. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent.

In compliance with Board of Education policy and State statute, professional staff members are required to report to the proper legal authorities any sign of child abuse or neglect. The child may suffer from physical abuse and neglect, sexual abuse, and/or emotional maltreatment. Basically, physical abuse is the non-accidental, physical injury of a child; physical neglect is the failure to provide proper parental care, support medical attention, and education for a child; sexual abuse is any indecent sexual activity in the family; and emotional maltreatment is failure to provide warmth, attention, supervision, and/or normal living experiences for a child.

In this respect, the following are considered signs of such abuse or neglect and should be reported immediately:

- A. malnutrition and/or basic deprivation
- B. significant history (siblings abused)
- C. direct parental threats or admission of abuse or neglect (to eighteen (18) years)
- D. symptoms of venereal disease
- E. dental injuries or eye injuries
- F. head injuries
- G. repeated burns or poisoning
- H. scars and bruises in unusual locations (neck, back, buttock, under arms, behind knees, tops and bottoms of feet)
- I. injuries reflecting direct blows or use of instruments

A child who is being abused may also:

- A. be hyperactive;
- B. act fearful of adults;
- C. cling to adults;
- D. be anxious, tense, and nervous

## **Procedure for Reporting**

All **suspected** cases are to be reported even if documentation is not available. The law provides protection for the reporting staff member. Professional staff members may report directly to Protective Services or have an administrator do so in his/her presence. Support staff members are to report to (the Director) (his/her supervisor).

A. The oral report shall include:

1. the name, address, and telephone number of all of the following:
  - a. the reporter
  - b. the alleged child victim
  - c. the caretaker or guardian, if different from caretaker, of the alleged child victim
2. the approximate age and what is known of the child's behavior and level of functioning;
3. when and where the alleged abuse or neglect occurred, the type, extent, and duration of the alleged abuse or neglect, and the child's current condition;
4. when, where, and how the child is at risk of abuse or neglect;
5. the circumstances surrounding the alleged abuse or neglect or any other information which might be helpful to establish the cause of abuse or neglect;
6. what is known about the behavior and functioning of the caretaker of the alleged child victim;
7. whether or not anything has been done to reduce the risk to the child;
8. what actions have been taken, such as photographs, medical attention, or notification of law enforcement officials or other persons;
9. the identity and current whereabouts of the alleged perpetrator, the relationship of the alleged perpetrator to the alleged child victim, and the access s/he may have to the child;

10. any knowledge of other children living in the home, and if so, their names, approximate ages, and relationship to the alleged child victim;
  11. any knowledge if other children in the home are currently or have been alleged victims of child abuse or neglect, and if so, their names and approximate ages, and the identity of the alleged perpetrator;
  12. the identity and location of anyone else with knowledge of the current allegation of abuse or neglect.
- B. Notify the student's Director that a report has been made. The Director shall ensure that the suspected case has been properly reported; and, if not, s/he shall ensure that an appropriate oral report is made immediately.
- C. Since it is the responsibility of the social worker and/or law enforcement agency to investigate possible abuse and/or neglect, school personnel should not pressure the child to divulge information regarding any injury or other circumstances surrounding the abuse and/or neglect. The school need not prove that abuse and/or neglect exists before reporting. They need only suspect that abuse and/or neglect has or is currently occurring.
- D. The oral report shall be followed, not more than five (5) days later, by a written report from the staff member. The report is to include all information given at the time of the oral report and any other information that is available from the school that may be helpful in the investigation of the report.
- E. The Director shall, in accordance with law, request a written response verifying receipt of the report.

### **INVESTIGATION OF CHILD ABUSE OR NEGLECT**

- A. When an investigator from the Department of Social Services (DSS) comes to a school and asks to interview a student, the following procedure is to be followed:
1. The supervisor shall ask the investigator for his/her ID and shall make a copy of the ID. If the supervisor is skeptical of the identification, she/he should obtain the telephone number of the investigator's superior in order to validate the investigator's identity.
  2. The supervisor is to cooperate with the DSS investigator to the extent that is compatible with the supervisor's in loco parentis responsibilities.
  3. The supervisor should make reasonable efforts to be present or have a

representative present during any interviews with the student. She/He should also obtain permission from the investigator to contact the student's parents prior to any interview. If the interviewer refuses the request, the supervisor should make note of such refusal in his/her record. She/He should also remind the investigator that the student is not to be subjected to a search that requires the student to remove his/her clothing to expose private body parts unless the investigator has a court order.

4. If the supervisor believes that compelling reasons exist that a school representative be present during any interview with a student, she/he can request the DSS interviewer obtain a court order that permits the investigator to interview the student without a school representative being present.
  5. After an investigator has completed his/her interview with a student, the investigator is required to meet with the principal/director and the student about the response the Agency will take to as result of the contact with the student. The principal/director may also request that the Agency share additional pertinent information about the situation that would not be shared with the student.
- B. The supervisor will maintain contact with the DSS during the investigation period and after investigation of the suspected cases, the supervisor shall request a written report.
- C. Upon completion of the investigation and/or receipt of the report, the supervisor will discuss the status of the case with the Superintendent and determine if additional action is required.
1. If suspected abuse/neglect is not confirmed, the building copy of the report will be destroyed. (If a report involves a special education student, it will be retained for three (3) years, or until the student reaches eighteen (18) years of age, unless otherwise directed by the IEP Team.
  2. If evidence of abuse/neglect is confirmed by the Director of Student Services, the administrative copy of the report will be retained in the student's personal cumulative file.
  3. In the event a child who has been confirmed by the Department of Social Services as having been abused or neglected, transfers to another school district within three (3) years of the confirmed abuse or neglect, or if the case has not been closed, the supervisor shall inform the receiving school district, in writing, of the status of the case.

### **Suspected Abuse/Neglect by Parents**

Parents who are abusing their child may:

- A. be reluctant to give information;
- B. describe a story that doesn't fit the injury;
- C. have an inappropriate reaction to severity of injury;
- D. express unreasonable expectations for child's performance;
- E. claim conditions that do not exist, e.g.

she/he bruises easily;

she/he moves constantly (child sits quietly.);

- F. indicate family problems such as marital discord, crowding, financial stress, psychological disorders, retardation, alcohol or drug addiction, etc.

When it is necessary to deal with parents who are suspected of child abuse, the staff member should try to be sympathetic and communicate a readiness to help. Parents are often beset by serious personal problems and possibly were themselves abused or neglected as children.

### **Suspected Abuse by Staff Members**

If a staff member is suspected of abuse, his/her supervisor should be notified immediately and the matter kept in strict confidence by the reporting person. The supervisor shall follow the District's due-process procedures for dealing with an employee's real or alleged violation of any law or District policy. This procedure does not negate the requirement for the reporting person to report the suspected abuse to the proper agency.