

Book

BOARD POLICIES

Section

GENERAL BOARD POLICIES

Title

Child Abuse and Neglect

Number

Status

Pending Board Approval

Adopted

Child Abuse and Neglect

Utah Code Ann. §53A-6-502, Mandatory reporting of physical or sexual abuse of students

Utah Code Ann. §53A-13-112, Child Sexual Abuse Prevention

Utah Code Ann. §62A-4a-401 et seq., Child Abuse or Neglect Reporting Requirements Utah Code Ann. §78A-6-105, Juvenile Court Act, Definitions Utah Admin. Code R277-401, Child Abuse-Neglect Reporting by Education Personnel

Bonneville Academy Board of Directors is committed:

- a. To the best interests of children
- b. To comply with state law and assist legal agencies in providing protective services
- c. To support the home environment and preserve family life wherever possible

Purpose:

The Bonneville Academy Board of Directors requires any school employee who has reason to believe a child has been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse, or neglect, or who observes a child being subjected to conditions or circumstances which would reasonably result in sexual abuse, physical abuse, or neglect, to

immediately contact the nearest peace officer, law enforcement agency, or Division of Child and Family Services office.

The purpose of this policy is to ensure that all school employees report, and participate in investigations of, suspected child abuse or neglect as required by state law.

Definitions

- a. "Abuse" means actual or threatened non-accidental physical or mental harm, negligent treatment, sexual exploitation or any sexual abuse.
- b. "Neglect" means abandonment of a child; subjecting a child to mistreatment or abuse; lack of proper parental care by reason of the fault or habits of the parent, guardian or custodian; failure or refusal of a parent, guardian or custodian; failure or refusal of a parent, guardian or custodian to provide proper or necessary sustenance, education, or medical care including surgery or psychiatric services when required, or any other care necessary for his health, safety, morals or well-being; or a child at risk of being neglected or abused because another child in the same home is neglected or abused.

Report Suspected Child Abuse and Neglect Cases

- a. Duty to Notify - Every person who has reason to believe that a child has been subjected to abuse or neglect ... shall immediately notify the nearest peace officer, law enforcement agency or Division of Family Services. "Reason to believe" does not mean that an individual must prove that a child is abused or neglected. It is the role of law enforcement or child protective services to investigate and establish proof.
- b. Immunity from Legal Action - Any person making a report in good faith is immune from liability, civil or criminal.
- c. Failure to Report - Any person who willfully fails to report child abuse or neglect is guilty of a class B misdemeanor.
- d. Reporting Procedure - The Academy Director must have a procedure established for how abuse and neglect are to be reported within the school and to the proper investigative agency. Staff must be made aware that reporting only to the school administration does not relieve them of the mandatory obligation to immediately report to the proper authorities.
- e. Immediacy - Report suspected abuse and neglect as soon as it is discovered. Do not wait until the end of the day to report it.

f. Where to Report - When suspected abuse and neglect appears to be parent\guardian caused, contact a child protective services (CPS) worker at Division of Family Services or a law enforcement officer. When suspected abuse or neglect appears to be caused by someone other than the parent or guardian, contact law enforcement, first. Complete the Child Abuse and Neglect Report Form and submit to the Academy Director.

g. Authority to Investigate - School administration and staff have neither the responsibility nor authority to conduct investigations of child abuse or neglect. Report anything that is suspicious and\or what the child has volunteered, but do not ask students questions as they may hinder the proper investigation of abuse of neglect.

h. Contact with Parents - Do not call parents to notify them that a child abuse or neglect concern has been reported. If parents contact school personnel, refer them without comment to the child protective services (CPS) worker or law enforcement officer in charge of the case.

i. Interviewing the Child - A CPS worker or law enforcement officer may interview the child at school. A Child Protective Services\Law Enforcement Check-In and Responsibility Form will be filled out which transfers responsibility for that child, at least temporarily, from the school to DFS or law enforcement. This form also specifies whether or not the child is to be allowed to go home after school or taken into custody by the Division of Family Services.

j. Parent Access to Children - If by court order a parent or guardian is prohibited access to a child, DFS or law enforcement will notify the school and provide a copy of the court order.

k. Confidentiality - Confidentiality is of utmost importance. School personnel should not discuss abuse and neglect cases among themselves unless an investigator deems it appropriate to meet the needs of the child.

l. Additional Reporting - Even though a school employee has reported the suspected abuse or neglect of a child, subsequent evident of abuse or neglect of that child should be reported regardless of the disposition of the first report.

Indicators:

The following indicators should be referred to as a help for determining if a child may have been physically or sexually abused or neglected.

a. Child shows evidence of repeated injury--signs of new injuries appear before old injuries have healed.

b. Child is apprehensive about physical contact with adults or shows knowledge of, interest in, or concern about sexual matters not commensurate with the child's age.

c. History is not consistent with injuries--the way the child states receiving the injury is not consistent with the type of injury.

d. Child complains of abdominal pain.

e. Child has injuries on more than one plane of his/her body.

f. Child shows evidence of injury or other problems such as:

- bruises
- welts
- wounds, cuts or puncture
- scalding
- caustic burns
- frostbite
- other burns, especially apparent cigarette burns on the back of the head, neck and extremities--these are seldom self-inflicted
- is inappropriately dressed for the weather
- wears torn, tattered or unwashed clothing
- is unbathed
- has poor skin hygiene
- is rejected by other children because of offensive body odor
- is undernourished
- comes to school without breakfast, goes without lunch
- begs for food
- is lethargic or listless
- is frequently absent for flimsy reasons and lame excuses
- comes to school much too early
- hangs around after school is dismissed
- is unusually aggressive, disruptive or destructive
- is unusually shy, withdrawn, passive, or complains excessively
- is unusually apprehensive when other children cry
- is unusually apprehensive when adults approach a crying child
- is consistently on the alert for danger
- is subject to frequent and severe mood changes.

Mandated Reporters

About: _____
Child's Name **Child's Birth Date**

If you are reporting more than one child from the same family please list their names and birthdate in the space provided on the reverse side of this form.

Street Address City Zip Code

Parent/Custodians: _____
Name

Address (if different than child's address)

This is to confirm my oral report of _____, made in accordance with Utah Code Ann. §53A-6-502, Mandatory reporting of physical or sexual abuse of students. Please answer the following questions:

1. What injuries or signs of abuse and neglect are there?

2. How and approximately when did the abuse/neglect occur and how did you become aware of the abuse/neglect?

3. Had there been evidence of abuse/neglect before now?

4. If the answer to question 3 is "yes," please explain the nature of the abuse/neglect.

5. Names and addresses of other persons who may be willing to provide information about this case.

6. Your relationship to child(ren)

7. Reporter Action Recommended or Taken:

PLEASE CHECK THE APPROPRIATE RESPONSE:
I saw the child(ren)_____

I heard about the child(ren) _____ From whom? _____
I have _____ have not _____ told the child's family of my concern and of my report to CPS.
I believe _____ do NOT _____ believe the child is in immediate physical danger.

Name Printed

Signature

Title

Organization

Please list any additional children involved in the same family along with their birthdates.