Washington County School District
121 West Tabernacle Street
Saint George, Utah 84770
435-673-3553

District Policy 2310

Child Abuse and Neglect

Health/Safety/Welfare Washington County School District - Adopted 8-79; Revised 11-12-96

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1. Purpose:

To clearly identify responsibility for reporting and responding to allegations of child abuse and neglect.

2. Policy:

It is the policy of the Washington County School District Board of Education that any school employee who in the course of the duties as an employee knows or has reason to believe that a child's health or welfare has been or appears to have been harmed as a result of sexual or 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, shall report or cause reports to be made in accordance with the law, policies and rules and procedures of the District.

3. Procedure:

3.1. Definitions:

3.2. "Child abuse or neglect" means causing harm or threatened harm to a child's health or welfare.

3.3. "Harm or threatened harm" means damage or threatened damage to the physical or emotional health and welfare of a child through neglect or abuse, and includes causing nonaccidental physical or mental injury, incest, sexual abuse, sexual exploitation, molestation, or repeated negligent treatment or maltreatment.

3.4. Neglect means:

3.4.1. abandonment of a child,

3.4.2. subjecting a child to mistreatment or abuse,

3.4.3. lack of proper parental care by reason of the fault or habits of the parent, guardian, or

custodian

3.4.4. failure or refusal of a parent, guardian, or custodian to provide proper or necessary subsistence, 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

3.4.5. a child at risk of being neglected or abused because another child in the same home is neglected or abused.

3.5. The aspect of neglect relating to education, described in section 3.4.1.4 means that:

3.5.1. after receiving notice that a child has been frequently absent from school (ten consecutive days or more than 1/16th of the applicable school term) without good cause, or

3.5.2. that the child has failed to cooperate with school authorities in a reasonable manner, or

3.5.3. a parent or guardian fails to make a good faith effort to ensure that the child receives an appropriate education.

3.6. An allegation of educational neglect may not be sustained, based solely on a child's absence from school. In addition to frequent absence from school, the child must be two or more years behind local public school's age group expectations in one or more basic skills, and not be receiving special educational services or systematic remediation efforts designed to correct the problem. (See detail in State Code 78-3A-316 and 62A-4a-101(14)b.)

3.7. "Subject" or "subject of the report" means any person reported, including, but not limited to, a child, parent, guardian, or other person responsible for a child's care.

3.8. Prior to holding a student after school on a particular day, notice shall be given to the parents or guardian of the student. Exceptions to the notice provision will be permitted if detention is necessary for the student's health or safety (House Bill 56, 1988, Utah State Legislature). (6-14-88)

3.9. Questioning of Students by Law Enforcement Officers:

3.9.1. In accordance with court decisions and administrative consideration, the following procedures will be followed when law enforcement officers wish to question students unless otherwise authorized by the Superintendent.

3.9.1.1. It is not permissible to question a student on school property unless a teacher or principal is present.

3.9.1.2. The student may not be taken from school for questioning unless the officer has a warrant for the arrest of the student, or has the permission of the student's parent or guardian.

3.9.2. The same procedures will apply to visitation by parole, probation, or juvenile officers.

3.9.3. For provisions relating to investigations and interviewing of students by the Division of Family Services, see "Child Abuse-Neglect" found on page _____ of this handbook.

4. Responsibility:

4.1. School employees are immune from any civil and/or criminal liability when reporting in good faith, suspected child abuse or neglect.

4.2. Failure on the part of any school employee to report may result in legal and/or disciplinary action begin brought against the employee (5-14-96)

4.3. If a school employee knows or reasonably suspects that a child's health or welfare has been or appears to have been harmed as a result of physical abuse, sexual abuse or neglect, he/she shall immediately make an oral report to the Division of Child and Family Services, nearest peace officer, or law enforcement agency as required by state law.

* Within 24 hours, the employee should make an oral report to the school principal or his/her designee concerning the alleged abuse or neglect.

4.4. It is not the responsibility of the school employee to:

4.4.1. Prove that the child has been abused or neglected

4.4.2. Determine whether the child is in need of protection, i.e., conduct his/her own investigation

4.5. Investigations. Investigations are the responsibility of the Division of Family Services. The Division of Family Services feels that the fewer times a child is questioned about suspected abuse or neglect the more effective the results of their investigation.

4.6. School employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect. Contact with the parents shall be handled by the Division of Family Services or the police department, not by the school.

4.7. School personnel should refer to the possible signs and symptoms of abuse or neglect in Rules and Procedures Section 5 for help in determining if the child may have been physically or sexually abused or neglected.

4.8. Division workers or other child protection team members have authority to enter upon public or private premises, using appropriate legal processes, to investigate reports of alleged child abuse or neglect. Schools may provide an effective neutral setting where children may be interviewed.

4.8.1. A child being interviewed has the right, if he/she chooses, to select a support person to be present in the interview. The support person is there only to provide support to the child. They are not to take part in the questioning or to coach the child's answers.

4.8.2. It is not mandatory for a support person to be present, but may be if the child wishes.

4.9. It is the responsibility of the investigating officer or worker to inform the parents of what is taking place.

4.9.1. As a courtesy, the division is to provide the school with a record of investigations which have been conducted at their school.

4.9.2. Any documents shared with the school regarding an investigation are to be kept as confidential as School Record Policy permits, and are to be kept in a locked file. (See 62A-4a-412 for confidentiality and penalties).

5. 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.

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

5.2. 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.

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

5.4. Child complains of abdominal pain.

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

5.6. 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.