

Reporting Child Abuse/Child Protection

1. Definition of abuse or neglect

Child abuse or neglect is defined in law as “an act or omission which seriously threatens the health or welfare of a child. ”Specifically, this refers to:

- a. Evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling or death and such condition or death which is not justifiably explained or where the history given concerning such condition or death is at variance with the condition or the circumstances indicate that the condition may not be the product of an accidental occurrence.
- b. Any case in which a child is in need of services because the child's parents, legal guardians or custodians fail to take the same actions to provide adequate food, clothing, shelter, medical care or supervision that a prudent parent would take.

2. Reporting requirements

Any school employee who has reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must report such fact to the Arapahoe Department of Social Services or Arapahoe County Sheriff. The employee must follow any oral report with a written report sent to the appropriate agency.

In cases where the suspected or know perpetrator is a school employee, the report should be made to the Arapahoe County Sheriff. (Reports made to social services will be referred to law enforcement.)

The employee reporting suspected abuse/neglect to social services or law enforcement officials must inform the school principal as soon as possible orally or with a written memo. The ultimate responsibility for seeing that the oral and written reports are made to social services or law enforcement agencies lies with the school official or employee who had the original concern.

3. Contents of the report

The following information should be included to the extent possible in the initial report:

- a. Name, age, address, sex and race of the child

- b. Name and address of the child's parents, guardians and/or persons with whom he is living
- c. Name and address of the person, if known, believed responsible for the suspected abuse or neglect
- d. The nature and extent of the child's injury or condition as well as any evidence of previous instances of known or suspected abuse or neglect of the child or the child's siblings—all with date as appropriate
- e. The family composition, if known
- f. Any action taken by the person making the report
- g. Any other information that might be helpful in establishing the cause of the injuries or the condition observed

It is helpful if the person reporting suspected abuse/neglect is prepared to give documentation. Thus, noting details of observations is important. It is permissible for the school official or employee to conduct a preliminary non-investigative inquiry of any injury or injuries under the following circumstances:

- a. School personnel may inquire of the child how an injury occurred. Leading and/or suggestive questions should be avoided. School personnel may not contact the child's family or any other person suspected of causing the injury or abuse to determine the cause of the suspected abuse or neglect.
- b. A school employee's reasonable cause to suspect that the child has been subjected to abuse or neglect may arise from a child's vague or inconsistent response to such an inquiry or from an explanation which does not fit the injury.
- c. All efforts must be made to avoid duplicate or numerous interviews of the victim.

4. After filing reports

After the report is made to the agency, district and school staff members will cooperate with social services and law enforcement in the investigation of alleged abuse or neglect. The school will report any further incidents of abuse to the agency's representative.

As the case is being investigated, the school will provide supportive aid and counseling services for the child.

Once a report of child abuse is given to the agency, the responsibility for investigation and follow-up lies with the agency. It is not the responsibility of the school staff to investigate the case. Therefore, the school staff will not engage in the following activities:

- a. Make home visits for investigative purposes.
- b. Take the child for medical treatment. (This does not preclude taking action in an emergency situation.)
- c. Convey messages between the agency and the parents/guardian.

Authorized school and district personnel may make available to agency personnel assigned to investigate instances of child abuse the health or other records of a student for such investigative purposes.

5. Guidelines for consideration

- a. If any school employee has questions about reasonable cause of child abuse and the need for making a report, he may consult with the superintendent or designee. If the superintendent or designee is not available, a direct call to the county department of social services about concerns is advisable.

Note that consultation with another school official or employee will not absolve the school official or employee of the responsibility for reporting child abuse.

- b. In an emergency situation requiring retention of the child at the school building due to fear that if released the child's health or welfare might be in danger, it should be observed that only law enforcement officials have the legal authority to hold a child at school. Otherwise a court order must be obtained to legally withhold a child from his parent or guardian.
- c. When any school official or employee has a question about the thorough investigation of suspected abuse/neglect following the filing of a report, he should contact the superintendent or designee.
- d. While all school officials and employees are reminded of their legal responsibility to report suspected cases of abuse or neglect, they may be assured that reports will be investigated by trained professionals and that there are more supportive and therapeutic treatment alternatives available for parents and children than there have been in the past.

- e. The confidential nature of information pertinent to child abuse or neglect cases is a matter to be emphasized both legally and humanely.

ADOPTED 2006