

STUDENT
WELFARE:FFG (R)
CHILD ABUSE AND NEGLECT

The Board shall establish and annually review policies for reporting child abuse and neglect. The policies shall follow the requirements of *Family Code Chapter 261* and shall be consistent with *40 TAC Chapter 700* regarding investigations by the Texas Department of Protective and Regulatory Services, including regulations governing investigation of abuse by school personnel and volunteers. *19 TAC 61.1051*

REPORTS REQUIRED

A person who has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect by any person shall make such reports as are required by law. *Family Code 261.101(a)*

If a professional has cause to believe that a child has been or may be abused or neglected or is a victim of indecency with a child, as described in Penal Code Section 21.11 that person shall make a report as prescribed above not later than 48 hours after the hour the person first suspects that the child has been or may be abused or neglected or is a victim of indecency with a child, as described in Penal Code Section 21.11. *Family Code 261.101(b)*

LEGAL RESPONSIBILITY

Every employee, agent or contractor of a Texas public school district who believes that a child has been or may be subject to abuse or neglect must make a report.

The legal duty to report lies with each person who has cause to believe that abuse or neglect has occurred or may have occurred

TO WHOM REPORTED

An oral report shall be called into the Child Protective Services Division of the Department of Protective and Regulatory Services within forty eight (48) hours of the incident, telephone: 1-800-252-5400.

INFORMATION IN REPORT

The report shall contain the name and address of the child, the name and address of the person responsible for the care of child, if available, and any other pertinent information. *Family Code 261.104*

IMMUNITY FROM LIABILITY

A person who reports or assists in the investigation of a report of child abuse or neglect, other than a person reporting his or her own conduct or reporting in bad faith or with malice, is immune from any civil or criminal liability that might otherwise be incurred or imposed. *Family Code 261.106; 19 TAC 61.1051*

FAILURE TO REPORT

A person commits a Class B misdemeanor if he or she has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report it as provided by law. *Family Code 261.109*

An employee who fails to submit a report of child abuse or neglect commits a Class C misdemeanor offense. *Penal Code 39.06*

Failure to report child abuse or neglect violates the Educator's Code of Ethics and may result in sanctions against and educator's certificate, as addressed in 19 TAC 249. *19 TAC 61.1051*

REPORTING POLICY

The District shall adopt the policy developed by TEA governing child abuse reports. The policy shall provide for cooperating with law enforcement child abuse investigations without the consent of the child's parents if necessary, include investigations by the Department of Protective and Regulatory Services.

School personnel need not report suspicions of child abuse or neglect to a school administrator prior to making a report.

Each school shall develop a system for reporting that does not hinder or delay a report and allows for full cooperation in the investigation by CPS personnel. School personnel should keep the building principal informed of all reported child abuse cases, but do not need to seek administrator approval before reporting.

Reports should be clear and factual and reported in the child's language as much as possible.

COOPERATION IN INVESTIGATION

School district employees and administrators shall cooperate completely in all matters relating to the investigation of any report of suspected child abuse or neglect. If personnel of the Child Protective Services come to the school as a result of the reported child abuse case, even if the case was not originally reported by the school, the school should:

1. Allow the Child Protective Services personnel to interview the student alone. If Child Protective Services personnel do not object, the principal or designated alternate may be present during the interview, but this is not required.
2. Allow CPS personnel to visually examine the student as required in the Texas Family Code, and permit photographs to be taken by CPS personnel as requested. District personnel are not to take photographs.
3. Allow CPS personnel to tape record the interview.
4. The Texas Family Code permits a representative of the Texas Department of Protective and Regulatory Services to take possession of the student without a court order when there is such an immediate danger and there is not time to obtain a temporary restraining order. School administrators shall cooperate with CPS personnel.

INSERVICE

Inservice should be conducted annually for all school personnel. Materials/resources are available through Health Services, Central Office.

ANNUAL DISTRIBUTION	The District's policies regarding child abuse and neglect shall be distributed to all personnel at the beginning of each school year.
STAFF DEVELOPMENT	The District's policies regarding child abuse and neglect shall be addressed in staff development programs at each school and department in the District at the beginning of each year and upon employment in the District.
ANTIVICTIMIZATION PROGRAM	Child abuse antivictimization programs shall be taught in elementary and secondary school.
CONFIDENTIALITY	The name of the person making the report is treated confidentially and the records and reports developed in the investigation are confidential.
DISTRICT CONTACT HEALTH SERVICES	The Director of Health Services will serve as District contact. In serious/unusual cases or if a question/request is presented by CPS that does not follow the above procedures, contact Health Services.
ADULT PROTECTIVE SERVICES STUDENTS 18 YEARS OF AGE AND OLDER	Students eighteen (18) years of age and older suspected of being abused or neglected are to be reported to Adult Protective Services, telephone 1-800-252-5400.
DISTRICT CONTACT	Notify Health Services for any question or concern.
REPORTING PROCEDURES INVOLVING EMPLOYEES OR SCHOOL VOLUNTEERS	<p>The following guidelines have been established if a suspected case of child abuse involved a District employee or a school volunteer:</p> <ol style="list-style-type: none">1. Employees shall follow the established District procedures for reporting suspected child abuse to the Child Protective Services Division.2. The principal shall notify the Associate Superintendent of Campus Support and the Executive Director of Personnel if a District employee or school volunteer is involved.3. The principal shall conduct an independent investigation of alleged child abuse and submit a written report to the North East ISD Associate Superintendent of Campus Administration and Executive Director of Personnel.4. The District shall participate in joint investigations as requested by CPS, and shall notify the Superintendent and Board as required by law. Where a school district investigates allegations concerning its own employees or students, the district should make every reasonable effort to coordinate its investigation with that of law enforcement or Department of Protective and Regulatory Services authorities.