

CHAPTER 3.00 - SCHOOL ADMINISTRATION

3.27

CHILD ABUSE

POLICY:

- (1) The Board will work together with the Florida Department of Children and Families, Department of Law Enforcement and any other appropriate agency in developing ways to inform and instruct school district personnel in the detection of child abuse and neglect and in the proper action that should be taken in a suspected case of child abuse or neglect.
- (2) Definitions of Child Abuse, Abandonment or Neglect
 - (a) Abuse means any willful or threatened act that results in any physical, mental or sexual injury or harm that causes, or is likely to cause the child's physical, mental or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
 - (b) Abandonment means a situation in which the parent or legal custodian of a child, or in absence of the parent or legal custodian, the caregiver responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations.
 - (c) Neglect occurs when a child is deprived of or is allowed to be deprived of, necessary food, clothing, shelter or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability, unless actual services for relief have been offered and rejected. A parent or legal custodian legitimately practicing in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal guardian.
- (3) Prohibition Against Child Abuse, Abandonment or Neglect

The School Board strongly prohibits any action or omission constituting child abuse, neglect, or abandonment by any of its employees, agents, volunteers, or by other persons affiliated in any way with the School District. Further, all employees, agents, and volunteers of the School District must comply with Florida law requiring reporting of child abuse, neglect, or abandonment.

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(4) Notification of Responsibility

A notice providing the following information shall be posted in a prominent place in a clearly visible location in a public area of each school:

- (a) All employees of the District have the responsibility to report all actual and suspected cases of child abuse, abandonment or neglect; immunity from liability if they report such cases in good faith; and the responsibility to comply with child protective investigations and all other provisions of law related to child abuse, abandonment or neglect.
- (b) Statewide toll-free telephone number for the central abuse hotline.
- (c) Instructions for calling 911 for emergencies.
- (d) Directions for accessing the Department of Children and Families website for additional information on reporting abuse, neglect, and exploitation.
- (e) The information must be in English and Spanish, in large print, on an 11" by 17" sheet and posted at student eye level.

(5) Requirements for Reporting Child Abuse, Abandonment or Neglect

- (a) Florida Statute requires that any person including, but not limited to, any
 - 1. Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care or treatment of persons;
 - 2. Health or mental health professional other than one listed in 1.;
 - 3. Practitioner who relies solely on spiritual means for healing;
 - 4. School teacher or other school official or personnel;
 - 5. Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker; or

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6. Law enforcement officer or judge who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Department of Children and Family Services.
- (b) Each report of known or suspected child abuse, abandonment, or neglect shall be made immediately to the Department of Children and Family Service's abuse hotline, on the single statewide toll-free telephone number. The teacher or staff member may also contact the principal, a school designee, district office or support person to let them the case has been reported, and for their own documentation and protection file a District County Schools Child Abuse Incident Referral Report.
- (c) Reporters in the categories specified in A. above, will be required to provide their names to hotline staff. The extent of confidentiality of the reporter's names, with respect to the Department's records, is governed by Florida Statute.
- (d) In accordance with state law, the Department of Children and Family Services, in conjunction with applicable law enforcement agencies, are responsible for investigating allegations of child abuse, abandonment, or neglect.
- (e) Complaint Against School District Employee, Volunteer or Agent – If a complaint is made against a School District employee, volunteer, agent or other person affiliated with the School District which, if true, would constitute child abuse, neglect or abandonment by that person, that complaint shall be immediately forwarded to the Superintendent. The Superintendent shall forward the complaint to the Department of Children and Family Services for investigation as provided by Statute. The person accused of child abuse, abandonment, or neglect shall be suspended from duties involving interaction with children pending investigation of the allegations. If the allegations are substantiated by the Department of Children and Family Services, the Superintendent shall take appropriate disciplinary action. School District staff shall in good faith cooperate with, and participate only as directed by, the Department of Children and Family Services and law enforcement during the investigation, and with respect to any subsequent criminal proceedings.

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- (f) Each school shall post in a prominent place at the school site and on each school's website the policies and procedures for reporting alleged misconduct by an instructional employee or school administrator which affects the health, safety or welfare of a student. The notice shall include the person to whom the misconduct should be reported and the penalties that will be imposed on instructional or school administrative staff who fail to report alleged or actual child abuse or misconduct.
 - (g) When a report of child abuse, neglect, or abandonment has been made to the Department of Children and Family Services or law enforcement agencies, a teacher, staff member, volunteer, or agent should not take it upon himself/herself to interview the child, talk with the suspected abuser, discuss the allegations with other potential witnesses or otherwise investigate the case. Nor should a teacher, staff member, volunteer or agent divulge information relating to the complaint to persons other than school officials, the Child Protection Team, the Department of Children and Family Services, law enforcement, the State Attorney or other court designee. If a parent, caregiver, or legal guardian desires information related to a complaint of child abuse, that person should be directed to contact the Department of Children and Family Services and/or the applicable local law enforcement agency.
 - (h) Florida Statute provides that a person required by state law to report child abuse, abandonment, or neglect, but who willingly and knowingly fails to do so, or prevents another from doing so, is guilty of a first degree misdemeanor. Likewise, knowingly and willingly filing a false report of child abuse, neglect, or abandonment or advising another to do so constitutes a third degree misdemeanor.
 - (i) Child Abuse Prevention Training for School District employees, staff, volunteers shall be provided in compliance with and as specified in Florida Statute.
- (6) A school instructional staff member who is known by the child may be present during the initial interview of a child protective or criminal investigation when the interview is conducted at school under either or both of the following Conditions.
- (a) Florida Department of Children and Families or the law enforcement agency believes the presence of the staff member could enhance the success of the interview.
 - (b) The child request or consents to the staff member's presence at the interview.

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