

408: Child Abuse and Neglect Reporting Policy

1. Purpose:

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

2. Policy:

It is the policy of St. George Academy 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 these in accordance with the law, policies and rules and procedures of St George Academy.

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 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 or 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. A child at risk of being neglected or abused may occur 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 means that 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 that the child has failed to cooperate with school authorities in a reasonable manner, or 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.](#))

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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 Executive Director.

3.9.2. It is not permissible to question a student on school property unless a faculty member or administrator is present. Every effort to notify parents will be made before law enforcement is granted access to the student.

3.9.3. 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.

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

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 ([Board Rule R277-401](#)).

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, they 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.

4.3.1 Within 24 hours, the employee should make an oral report to SGA Administration concerning the alleged abuse or neglect.

4.4. It is not the responsibility of the school employee to prove that the child has been abused or neglected or to 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 as defined by annual trainings 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 they choose, 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 and/or 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. For example, 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 their body.

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

bruising

welts

wounds, cuts or puncture

scalded

caustic burns

frostbite

other burns, especially apparent cigarette burns on the back of the head, neck and extremities

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 unclear reasons and trivial 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

6. Child Abuser Education Restrictions

6.1 Pursuant to [Utah House Bill 305](#), and individual who has committed child abuse is prohibited from exempting their child from required school attendance.

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