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ABSTRACT

This report documents the findings and implications of a nationwide assessment of current education policies and practices regarding child abuse. The report offers guidelines to help education policy makers formulate child abuse policies. In line with these two purposes, the body of the report is divided into two main sections. The first deals with various aspects of education's role in child abuse programs: why education should be involved, why its involvement has been limited to date, why this study was conducted and what the findings imply. The second section contains guidelines for policy development--suggestions that policy makers should consider before developing child abuse policies for education groups and institutions. In addition, four appendices are included: a description of the method, scope and selected findings of the study; samples of the study instruments; tabulated findings of the study; and several samples of child abuse policy statements. (Author/MPJ)

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Education Policies and Practices
Regarding Child Abuse and Neglect
and Recommendations for
Policy Development

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Child Abuse and Neglect Project
Education Commission of the States

Report No. 85
April 1976

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Denver, Colorado 80203
Wendell H. Pierce, Executive Director

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CONTENTS

| | |
|---|----|
| Introduction | 1 |
| American Education's Role in Child Abuse Programs: Why Should Education be Involved? | 3 |
| Considerations for Policy Development | 13 |
| References | 17 |
| Appendix A: The ECS Assessment | 18 |
| Appendix B: Forms Used for the Telephone Interviews | 23 |
| Appendix C: Findings of the ECS Assessment Tables 1 – 17 | 33 |
| Appendix D: Samples of Policy Statements | 42 |

INTRODUCTION

In 1975, the Education Commission of the States (ECS) was named as one of 16 resource projects for the National Center on Child Abuse and Neglect. One of the charges to the ECS Child Abuse and Neglect Project was to explore ways for educators to become more actively involved in identification and prevention programs. As a means of gathering background data needed to carry out this charge, the project conducted a nationwide assessment of current education policies and practices regarding child abuse.* This report documents the findings and implications of the ECS assessment.

Both this report and the study it describes are based on several explicit assumptions:

- That as social resource, education is second only to the family in its potential for sustained and thorough involvement in all children's lives.
- That because of the scope and complexity of the problem of child abuse, no single profession or discipline can effectively work alone; coordinated multidisciplinary action is necessary for identification, treatment and prevention.
- That education has an essential part in any multidisciplinary program to help abused children and their families.
- That before school personnel can effectively offer any type of help to troubled families, policies must be developed on educators' responsibilities in child abuse programs.

In addition to documenting the ECS study, the purpose of this report is to offer guidelines to help education policy

*To facilitate reading, "child abuse" is used here to refer to the physical, sexual and psychological abuse and neglect of children. Where clarification or emphasis is needed, the more specific labels are used.

makers—from school principals to members of state boards of education—formulate child abuse policies. Because of this document's limited scope, the problem of child abuse is not discussed from a technical standpoint.¹

In line with the twofold purpose, the body of this report comprises two main sections. The first deals with various aspects of education's role in child abuse programs: why education should be involved, why its involvement has been limited to date, why the ECS study was conducted and what the findings imply. The second section contains guidelines for policy development—suggestions that policy makers should consider before developing child abuse policies for education groups and institutions.

In addition, four appendices are included: a description of the method, scope and selected findings of the study; samples of the study instruments; tabulated findings of the study; and several samples of child abuse policy statements.

**AMERICAN EDUCATION'S ROLE
IN CHILD ABUSE PROGRAMS:
WHY SHOULD EDUCATION BE INVOLVED?**

American education is potentially a major resource for helping abused children and their families. But this potential has rarely been tapped and, as yet, has never been fully utilized.

Education—the social resource that includes both institutions, such as schools and policy-making boards, and professional groups such as teachers' organizations and PTA's—is in a position to help deal with the problems of child abuse in ways no other resource or institution can.

There are many reasons for its unique position. School-age children, in close contact with teachers every day, account for a large percentage of abused children (an estimated 50 percent of all cases of physical abuse alone).² Schools are an important factor in children's social, emotional and educational growth. They routinely appraise all children for defective vision, impaired hearing and other physical, mental and emotional problems. Also, when necessary, school personnel communicate a child's needs to the family health and welfare agencies and to social and civic groups. No other social resource touches the lives of all families with children in so many ways for such a long period of time.

Perhaps most important, the schools are generally not viewed as punitive. School personnel can deal with many precrisis situations without threat or stigma to the parents and can advocate a nonpunitive and nonadversary relationship between families and service agencies.

Health and welfare agencies, of necessity, are largely crisis oriented. They usually do not provide the sustained relationships with troubled families or the precrisis services that are potentially available through the schools. Of course, this does not mean that education should compete with other agencies or assume responsibilities that are better left to medicine, social work or law. Rather, schools should supplement the work of other agencies and professions.

The experiences of several school projects suggest education's potential role and impact in child abuse programs. The Syracuse (New York) City School District, for example, began an abuse identification program in 1964. Five years later, the director of health services for the schools noted that, since its inception, the school program had been the greatest single referral source in the city.³ The SCAN (School Children Abused and Neglected) project begun in the Bedford-Stuyvesant area of Brooklyn in 1974, made more than 170 referrals within its first few months of operation. And, within 25 days of its inception in February 1975, the Child Abuse and Neglect team of the Jefferson County (Colorado) Public Schools reported 22 cases of suspected abuse and neglect. All were subsequently confirmed.

Of all the school-based child abuse and neglect programs in the country, Project PROTECTION of the Montgomery County (Maryland) Public Schools is probably the best known. Started in 1974 with an \$80,000 federal grant, the project includes curriculum development, school policy revision and training for both public and private school teachers to identify and work with abused and neglected children. This project has had massive impact in the public and private education sectors. Reporting has increased within the schools, along with understanding and cooperating with other service agencies.

Education's involvement in child abuse programs is not limited to projects within the schools. Teachers in New Jersey, for instance, set up a statewide sensitization and identification program by working through the New Jersey Education Association (NJEA) and the Division of Youth and Family Services of the State Department of Institutions and Agencies. Through NJEA, the teachers developed an audiovisual presentation with accompanying brochures, which listed a toll-free number that teachers could call to report suspected abuse or neglect.

These examples suggest some of the possibilities for constructive involvement, but by no means all.

The areas of education's greatest potential to help deal with the problem of child abuse are identification, precrisis intervention and primary prevention. Specifically, education groups and institutions could:

- Identify suspected cases of abuse and refer families to appropriate help.
- Cultivate an awareness of child abuse among both private citizens and the professional community.
- Involve nonabusive parents in efforts to help troubled families.
- Promote needed legislation on the local, state and national levels.
- Provide preservice and inservice training for professionals, including social workers, mental health workers, police officers and all school personnel.
- Help coordinate health, welfare and other services throughout the community.
- Help develop follow-up programs in the schools to locate abusing transient families and to ensure that both children and parents receive the help they need.
- Provide special, in-class attention to the educational, emotional and developmental needs of the abused child and counseling services for children and parents.
- Provide child-care services such as crisis nursery facilities, preschool day care and emergency baby sitting.
- Offer courses for both secondary students and adults on appropriate parenting behaviors.
- Include information in the primary, intermediate and secondary curricula on child development, family life, discipline and aggression, and other topics potentially useful to future parents.

Major Findings of ECS Assessment

It is apparent to even the casual observer that education's involvement in child abuse programs is greater in potential than in practice. Yet hard data have been lacking. To help determine just how involved education actually is in child abuse programs, the ECS Child Abuse and Neglect Project interviewed representatives of 390 selected education groups and institutions about their current policies and practices regarding child abuse. The objectives of the assessment were to:

- Obtain information on existing policies, procedures and regulations in educational institutions for identifying and reporting child abuse.

- Determine the nature and extent of training provided by educational institutions to help school personnel deal more effectively with child abuse cases.
- Identify educational settings that offer instruction about parenthood or about the problem of child abuse as a course requirement.
- Obtain information on other institutions-sponsored activities dealing with the problem of abuse.
- Gather copies of the child abuse policy statements of educational institutions.

The study's method, scope and other findings are discussed in Appendix A.

The findings suggest that professional education groups tend to adopt policies regarding child abuse before initiating programs or activities. For instance, while 17 percent of the groups had adopted policies, only 5 percent had sponsored professional training or public or professional awareness campaigns.

For education institutions (e.g., state education agencies, local school districts, state boards of education or private schools), however, the opposite seems to be true. Only 24 percent of the institutions in the study had policies regarding child abuse, while 17 percent had sponsored public or professional awareness campaigns, 29 percent had offered training for school personnel and 63 percent provided services for abused children. The tendency for institutions to sponsor activities or services on behalf of abused children while lacking child abuse policies may explain, at least in part, why more than half the institutions had encountered problems in dealing with child abuse cases.

Of the five professional populations surveyed, state PTA and NEA affiliates were most involved in child abuse and neglect programs. Both organizations have recently begun programs in child abuse and neglect, and it should reasonably be expected that their interest and activity will increase nationwide. Other professional education groups are becoming more active, especially at the national level. Among the education institutions, large school districts seem to be more involved. In general, institutional involvement occurs largely

in the areas of identification and reporting. The only noteworthy exception is one primary prevention activity: 58 percent of the schools and departments report that they require students to have some type of "preparation for parenthood." However, careful scrutiny of the data leads to the conclusion that, in terms of percentage of students enrolled, the "requirement" is not strongly enforced.

On the surface, the data suggest education's relative inactivity or disinterest regarding the problem of child abuse. But it was clear from discussions with many of the respondents that policy development, staff training and other programs and activities are now being planned. The study itself may have stimulated activity: several respondents gave answers such as "no, but we should" and "I plan to get something going on this."

The major findings are summarized on the following tables.

Table A
Number and Percent of Institutions Having Policies, Procedures
or Regulations Relating to Child Abuse

| Policy | State Boards of Education (35) | State Depart- ments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (233) |
|--------------------|---|---|--|---|---|----------------|
| Have policy | 6 (17%) | 8 (16%) | 22 (44%) | 14 (29%) | 5 (10%) | 55 (24%) |
| Do not have policy | 29 (83%) | 41 (84%) | 28 (56%) | 35 (71%) | 45 (90%) | 178 (76%) |

Table B
Frequency Distribution of Responses to 12 Questions
From Telephone Interviews

| Item | State Boards of Education (35) | State Depart- ments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (233) |
|---|---|---|--|---|---|----------------|
| Have adopted policy relating to child abuse | 6 | 8 | 22 | 14 | 5 | 55 |
| Have adopted verification policy | NA | 3 | 11 | 8 | 3 | 25 |
| Have adopted reporting policy | NA | 8 | 22 | 14 | 5 | 49 |
| Have offered training on child abuse for school personnel | NA | 15 | 30 | 8 | 5 | 58 |
| Have sponsored public or professional awareness campaign about child abuse | NA | 12 | 18 | 1 | 2 | 33 |
| Require "Preparation for Parenthood" | NA | 15 | 26 | 28 | 46 | 115 |
| Require instruction about child abuse | NA | 1 | 6 | 7 | 9 | 23 |
| Have conducted studies or project on child abuse | NA | 7 | 6 | - | - | 13 |
| Provide service for abused children | NA | 13 | 42 | 36 | 33 | 124 |
| Have encountered problems with cases of abuse | NA | NA | 41 | 26 | 16 | 83 |
| State departments of education that notify school personnel of mandatory reporting laws | NA | 38 | NA | NA | NA | 38 |

NA — Not applicable

Table C
Frequency Distribution of Responses
to Three Questions From Mail Questionnaire

| Item | State School Adminis- trator Associ- ations (33) | State NEA Affil- iates (41) | State AFT Affil- iates (19) | State PTA Affil- iates (28) | State School Board Associ- ations (36) | Total |
|--|--|---|---|---|---|-------|
| Have policy relating to child abuse | 4 | 9 | 1 | 12 | 2 | 28 |
| Have sponsored or cosponsored training on child abuse | — | 3 | 1 | 4 | — | 8 |
| Have sponsored or cosponsored awareness campaign about child abuse | — | 3 | 1 | 5 | — | 9 |

NOTE: These tables are also found in Appendix C.

Reasons for a Previously Limited Role of Education

To understand why education groups and institutions are only now beginning to realize their potential for combatting child abuse and neglect, we have to look within as well as outside America's education systems. Until recently, for example, child abuse was equated in the popular mind only with very young children—"battered babies." Because of their innocence and appeal, these have been the children generally pictured in media reports; and because of their fragile bones and greater susceptibility to serious injury, infants have been more likely than older children to be seen by professionals who report their cases. Unaware of the problem of abused school-age children, educators have no doubt been largely unaware of the abused children in their class.

School personnel have lacked not only specific training about child abuse but also relevant information on the subject. For example, there has been a dearth of books and articles addressed to school personnel. Kline and Hopper's thorough review of 475 articles and 20 books discussing child abuse found only 53 articles referring to the need for teacher and school involvement.⁴ Few of those appeared in journals that school personnel might be expected to read; and, even then, the references were general and brief.

Even when educators have suspected school children of being abused, they have often seen referral to some agency outside the school as the limit of their responsibility. Teachers and other school personnel are subject to the same doubts as other professionals—that their actions will do nothing to help the child, that they might in fact make a bad situation worse, that they have insufficient information to make a report. Moreover, in light of their political vulnerability, their hesitation to become involved in family problems is understandable. School personnel only recently have been given statutory responsibility and protection for reporting. In the past, without legal mandates providing for immunity and anonymity in making a report, many educators avoided any involvement that might alienate parents—the political constituency that most directly affects school programs and administrative tenure.

Some Implications of Current Trends

Education can no longer avoid involvement. Recent legislative trends have left educators with two alternatives: to develop policies and programs regarding child abuse or to wait until policies are imposed through legislative or funding requirements. In short, they must either act or react.

Provisions in the 1974 federal Child Abuse Prevention and Treatment Act (Public Law 93-247) are perhaps the clearest example of the imminence of this choice. To qualify for funding under the act, a state or its political subdivisions must meet 10 requirements. At least three requirements directly involve education:

- The state must have administrative procedures, trained personnel, training procedures, institutional and other facilities, and multidisciplinary programs and services sufficient to assure that child abuse and neglect laws are enforced and that suspected instances of abuse and neglect are reported.
- The state must provide for cooperation among law enforcement officials, courts of competent jurisdiction and all appropriate state agencies providing human services for the prevention, treatment and identification of child abuse and neglect.

- The state must provide for public dissemination of information on child abuse and neglect, as well as the facilities and the prevention and treatment methods available to combat the problem.

As a result, schools could minimally be required to adopt administrative and training procedures in regard to reporting, adopt plans for cooperation with other agencies or add specific courses to their curricula.

Self-determined policies allow the schools to choose the flexibility and extent of their role in child abuse and neglect programs. Undoubtedly, they will have more impact and be more appropriate than those imposed from outside the education community. If education fails to take the initiative and waits for policies to be imposed from without, the public may well conclude that education is an unwilling advocate for the children who need its help most.

Whatever the nature and extent of the child abuse and neglect policies, programs and procedures that are adopted, there will be financial implications. Any new program or redirection of existing programs requires a concurrent reallocation of resources, and child abuse and neglect programs are no exception. But it is doubtful that the costs of child abuse and neglect programs could match the financial costs of the problem itself.

Although limited to date, research is consistent. Morse, Sahler and Friedman reported in a 1970 study that 15 of 21 abused children were either mentally retarded or emotionally disturbed.⁵ Of 50 abused children studied by Elmer, 4 were retarded, 2 had neurological damage and 7 had physical defects.⁶ Martin's study of 42 abused children revealed 14 mentally retarded, 18 with neurological damage and 16 with delayed speech.⁷ In a population of 302 abused children, Kempe and others found 33 deaths and 85 cases of neurological damage.⁸ And, finally, in a study recently completed by Kline and Christiansen, abuse and neglect were found to be significantly related to either the child's placement in institutions and special education classes or the child's needing (and receiving) psychological services.⁹

Policies and programs that successfully reduce the incidence of abuse and neglect are likely to have an excellent benefit to cost ratio, to say nothing of the human benefits to children

and families. For American education, child abuse now represents an issue whose time has come. We hope that the guidelines suggested in the following section will help educators in developing the policies, programs and procedures that will enable American education to realize its full potential to deal with child abuse and neglect.

CONSIDERATIONS FOR POLICY DEVELOPMENT

A policy regarding child abuse and neglect is a commitment by the school (or other education group or institution) to cooperate with other agencies and professions in identification, treatment and prevention programs. The ultimate purpose of a child abuse and neglect policy is to protect children whose health or welfare is threatened through nonaccidental injury or neglect by parents, guardians or caretakers.

The guidelines that follow are practical suggestions to help education policy makers develop and implement effective child abuse and neglect policies. These are not intended to be cookbook instructions that spell out what to do and how to do it. Rather, the guidelines are offered as points to consider when developing policy. They are designed to assist in the development of policies suitable to the needs of institutions and groups. Because of variations among state laws and among school district policies and regulations, it is impossible to develop uniform "model" policies and procedures applicable to all the American school systems. The policies of several state and local school districts are included as samples in Appendix D.

The first and strongest suggestion is that every school system adopt and issue a child abuse and neglect policy, particularly a policy on reporting. Almost every state reporting requires or encourages school personnel to report suspected child abuse and neglect. An effective child abuse policy should inform school personnel of their legal obligations and immunities in regard to reporting, as well as inform the local community that school personnel are legally obligated or encouraged to report suspected child abuse and neglect.

Any policy regarding child abuse and neglect must be in compliance with state law. To ensure that a proposed policy complies with current statutes, consult an attorney or the state's attorney general. At a minimum, a reporting policy should cite the elements listed below. Sample wording for such citations is listed to the right.

Elements to be Cited

Sample Wording

1. *A brief rationale for involving school personnel in reporting.*

Because of their sustained contact with school-age children, school employees are in an excellent position to identify abused or neglected children and to refer them for treatment and protection.
2. *The name and appropriate section numbers of the state reporting statute.*

To comply with the Mandatory Reporting of Child Abuse Act (Section 350-1 through 350-5), Hawaii Revised Statutes (1968), as amended (Supp. 1975), . . .
3. *Who specifically is mandated to report and (if applicable) who may report.*

. . . it is the policy of the _____ School District that any teacher or other school employee . . .
4. *Reportable conditions as defined by state law.*

. . . who suspects that a child's physical or mental health or welfare may be adversely affected by abuse or neglect . . .
5. *The person or agency to receive reports.*

. . . shall report to the department of social services . . .
or
. . . shall report to the principal, who shall then call the department of social services . . .
6. *The information required of the reporter.*

. . . and give the following information: name, address and age of student; name and address of parent or caretaker; nature and extent of injuries or description of neglect; any other information that might help establish the cause of the injuries or condition.

School employees shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect.

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.

- | | |
|--|--|
| 7. <i>Expected professional conduct by school employees.</i> | Any personal interview or physical inspection of the child should be conducted in a professional manner . . . |
| 8. <i>The exact language of the law to define "abuse" and "neglect"; if necessary, explain, clarify or expand.</i> | " 'Abuse' means the infliction, by other than accidental means, of physical harm upon the body of a child." " 'Neglect' means the failure to provide necessary food, care, clothing, shelter or medical attention for a child." |
| 9. <i>The method by which school personnel are to report (if appropriate, list telephone number for reporting) and the time in which to report.</i> | An oral report must be made as soon as possible by telephone or otherwise and may be followed by a written report. |
| 10. <i>Whether or not there is immunity from civil liability and criminal penalty for those who report or participate in an investigation or judicial proceeding; and whether immunity is for "good faith" reporting.*</i> | In Illinois, anyone making a report in accordance with state law or participating in a resulting judicial proceeding is presumed to be acting in good faith and, in doing so, is immune from any civil or criminal liability that might otherwise be imposed. <p style="text-align: center;">or</p> In Maryland, there is no immunity from civil suits for untrue statements made by one citizen against another. |
| 11. <i>Penalty for failure to report, if established by state law.</i> | Failure to report may result in a misdemeanor charge; punishment by a fine of up to \$500, imprisonment up to one year or both. |
| 12. <i>Action taken by school board for failure to report.</i> | Failure to report may result in disciplinary action against the employee. |

*While every state provides immunity for those reporting child abuse, many do not provide immunity for reporters of child neglect. School systems in these states may be able to extend immunity to school personnel via the state public school laws. Many of these laws grant immunity to educators who act under a requirement of school law, rule or regulation. By enacting a regulation requiring school personnel to report suspected abuse *and* neglect, school systems can ensure full immunity to their employees who report.

13. *Any provisions of the law regarding the confidentiality of records pertaining to reports of suspected abuse or neglect.*

All records concerning reports of suspected abuse or neglect are confidential. Anyone who permits, assists or encourages the release of information from records to a person or agency not legally permitted to have access may be guilty of a misdemeanor.

In its child abuse and neglect policy, a school system can specify its role in multidisciplinary cooperation, professional training, public awareness and programs of primary prevention. Although such statements are not necessary, they can help clarify previously ambiguous or ill-conceived positions. The simple process of articulating a clear position can help refocus current programs and even allow new program development.

Policy makers may also find it helpful to articulate a clear policy on evaluation of the school system's child abuse and neglect programs. What are the school system's goals regarding its child abuse and neglect programs? What are the expectations? Are they realistic, measurable? By spelling out realistic expectations and some means to evaluate goals regularly, policy makers can help ensure more effective programs.

A final suggestion: to be useful, the adopted policy must be widely disseminated. Distribute copies to all school employees and parents and throughout the community every year. Well-conceived, clearly written and fully circulated policy is an essential first step toward meeting education's potential role in child abuse and neglect programs.

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- ⁸C. Henry Kempe et al., "The Battered Child Syndrome," *JAMA*, 181 (1962) pp. 17-24.
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Appendix A THE ECS ASSESSMENT

Method and Scope

To assess the nature and extent of education's involvement in child abuse programs, ECS conducted a two-part assessment of current policies, instruction, activities and problems in institutions and professional educational groups in regard to child abuse.

In the first part of the assessment, telephone interviews were conducted in order to:

- Obtain information on existing policies, procedures and regulations in educational institutions for identifying and reporting child abuse.
- Determine the nature and extent of training provided by educational institutions to help school personnel deal more effectively with child abuse cases.
- Identify educational settings that offer instruction about parenthood or about the problem of child abuse as a course requirement.
- Obtain information on other institution-sponsored activities dealing with the problem of abuse.
- Gather copies of the child abuse policy statements of educational institutions.

Phone calls were made from the ECS offices during December 1975 to a sample population of 233 respondents representing the following institutions:

- State boards of education (35).
- State departments of education (49).*
- The largest district of each state, selection based on enrollment size (50).
- A small district of each state, selection based on student enrollment at the 33rd percentile level (49).*

*Data could not be obtained from one state.

- The largest private school by enrollment in every state (50).

Three forms were developed for the telephone interviews— one for state boards, one for state departments and one for the three categories of schools. (See Appendix B.) The instruments, which contained both fixed-alternative and open-ended questions, were pretested on a small scale for clarity and content.

The aim of the second part of the assessment was to determine what professional educational organizations have done to stimulate education's involvement in child abuse programs. During November 1975, letters of inquiry were mailed to the directors or presidents of 221 selected educational groups:

- All state school administrator associations (44).
- All state NEA affiliates (50).
- All state AFT affiliates (30).
- All state PTA affiliates (50).
- All state school board associations (47).*

Three questions were asked:

- Does your organization have any policy, position or regulation regarding the abuse, neglect or sexual exploitation of children? If so, could you describe or provide a copy.
- Has your organization sponsored or cosponsored any type of training in regard to child abuse, neglect or sexual exploitation? If so, who was the intended audience?
- Has your organization sponsored or cosponsored any type of public or professional awareness campaign about child abuse, neglect or sexual exploitation?

Of the 221 professional educational groups that were mailed questionnaires, 157 responded. Attempts were made to follow up on unanswered letters, but some members of the selected population could not be reached.

The data from both telephone and mail interviews were

*Not all states have affiliates of these organizations.

tabulated to determine the frequency distribution of responses and to analyze and interpret the findings. A discussion of selected data follows. The tabulated data are presented in Appendix C, Tables 1-17.

Other Findings

Of 233 institutions in the assessment population, 55 (24 percent) had policies, procedures or regulations relating to child abuse (Table 1). Those having policies included 44 percent of the large districts, 29 percent of the small districts, 17 percent of the state boards of education, 16 percent of the state departments of education and 10 percent of the private schools.

Less than half the respondents whose organizations had a child abuse policy sent a copy of the written policy to ECS; 36 reported that their state's child abuse statute was used in lieu of a policy developed by their own system (Table 2). Twenty-four institutions had adopted their policies since 1974, and 16 had adopted them between 1970 and 1973 (Table 3).

Concerning the type of child abuse policy adopted, 25 of the 233 respondents reported that their institutions had policies on how teachers or administrators *verify* suspected cases of abuse; 49 stated that their institutions had policies for reporting (Table 4).

As of December 1975, 58 institutions (29 percent of the 198 responding)* had offered training on child abuse for school personnel—teachers, administrators or auxiliary personnel such as nurses and social workers (Tables 5, 6A and 6B). Of these, 42 schools and departments had offered training that was specific to child abuse (as opposed to part of general orientation), and 37 had made at least part of the training optional.

Only 33 institutions had sponsored a public or professional awareness campaign about child abuse (Table 7). Some had distributed leaflets, brochures, newsletters or other publications; some had shown videotapes; and some had arranged for staff meetings, radio programs or conferences. One sectarian

*Unless otherwise noted, this and the following items are not applicable to state boards of education.

school had incorporated information about child abuse into sermons for parishioners.

Asked whether students received preparation for parenthood (such as instruction in marriage and family, child development and family life) as part of course requirements, 115 respondents stated that their institutions do require such instruction at the junior high or secondary level (Tables 8 and 9). In general, the instruction appears to be offered most often at the junior high level (grades 7-9). Among the institutions in the study, more private schools require preparation for parenthood than either state departments or schools in large or small districts. While the data is unclear, preparation for parenthood is not as widely taught as a superficial examination would indicate. The range of definitions was so broad that it seriously questioned the validity of the raw data.

In contrast to the 115 institutions that require preparation for parenthood, only 23 require any instruction about child abuse (Tables 10 and 11). In 9 institutions, instruction about abuse is required at the intermediate level; in 22, it is required for secondary students.

Special studies or projects about child abuse accounted for even less of the institutions' involvement (Table 12). Seven state departments of education and six schools in large districts—in all, less than 7 percent of the responding institutions—conducted a total of 28 projects or studies. Topics included identification, reporting, adjustment of children, sex education, parenting and prevention.

A large part of the schools and departments provided concrete services for abused children (Table 13). In total, 124 institutions supplied one or more services such as special instruction, counseling, referral to community resources, follow up and health care. Approximately half of these institutions provided more than one service to children identified as abused.

The respondents from schools were divided fairly evenly when asked about problems in dealing with suspected child abuse cases: 56 percent had encountered problems and 44 percent had encountered either no problems or no suspected cases of abuse (Table 14). Reported problems included reluctance of school personnel to become involved, school

personnel lacking knowledge of the characteristics of abused children, limited community resources, lack of cooperation from the community after a referral, the child's denial of abuse, excessive emotional involvement of school personnel and lack of parental cooperation. Far more schools in large districts had met with problems than had schools in small districts or private schools. In fact, private schools most often reported no problems as well as no incidence of suspected abuse.

Finally, 38 state departments of education (78 percent of those responding) had devised some means—such as letters, publications, workshops, posters or personnel orientation—to notify teachers and school administrators of the state's mandatory reporting law for child abuse (Table 15). None of the other 11 state departments had a notification method.

Appendix B
FORMS USED FOR THE TELEPHONE INTERVIEWS

Following are samples of the three instruments used to gather data in part one of the ECS assessment.

30

23

Form for State Boards of Education

1. Name of State _____
2. Name of Respondent _____
3. Position of Respondent _____
4. Date of Interview _____
5. Name of Interviewer _____

1. Does your organization have any policy (procedure or regulation) regarding the abuse, neglect and sexual exploitation of children?
NO _____ YES _____
2. If yes, when was this policy, procedure or regulation adopted?
YEAR _____

Form for State Departments of Education

1. Name of State _____
2. Name of Respondent _____
3. Position of Respondent _____
4. Date of Interview _____
5. Name of Interviewer _____

1. Does your organization have any policy (procedure or regulation) regarding the abuse, neglect or sexual exploitation of children?

NO _____
(If "no", skip
to #5)

YES _____
(If "yes", please
provide a copy)

2. When was this policy, procedure or regulation adopted?
YEAR _____

3. Does your organization have any adopted policy, procedure or regulation on how teachers or administrators verify suspected cases of child abuse, neglect or sexual exploitation?

NO _____

YES _____
(If "yes", provide
copy or brief des-
cription)

4. Does your organization have any adopted policy, procedure or regulation on how teachers or administrators report suspected cases of child abuse, neglect or sexual exploitation?

NO _____

YES _____
(If "yes", please
provide a copy)

5. Has your organization sponsored any type of training on child abuse, neglect or sexual exploitation?

NO _____

YES _____

if "yes," specify for whom:

If "yes," specify nature:

Teachers _____

Optional _____

Administrators _____

Required _____

AUX personnel (e.g., nurses, pupil personnel)

Part of general orientation

Specific to child abuse, and neglect

6. Do the course requirements of your state department provide that students receive any instruction as preparation for parenthood (i.e., marriage and family, child development, family life education) ?

PRIMARY
K - 6

INTERMEDIATE
7 - 9

SECONDARY
10 - 12

7. If such instruction is offered, what percentage (approximately) of student population is enrolled?

PRIMARY INTERMEDIATE SECONDARY

25% or less _____

26% - 50% _____

51% - 75% _____

76% or more _____

8. Do the course requirements of your state department provide that students receive any instruction about child abuse, neglect and sexual exploitation?

| | |
|--------------|-----------|
| INTERMEDIATE | SECONDARY |
| YES _____ | YES _____ |
| NO _____ | NO _____ |

9. Has your state department sponsored or co-sponsored any type of public or professional awareness campaign* about child abuse, neglect and sexual exploitation?

| | |
|----------|--|
| NO _____ | YES _____ (If "yes," please give a brief description) |
|----------|--|

10. Has your state department conducted any special studies or projects on child abuse, neglect and sexual exploitation?

| | |
|----------|-----------|
| NO _____ | YES _____ |
|----------|-----------|

If "yes" specify topic:

- a. Identification _____
- b. Reporting _____
- c. Adjustment of children _____
- d. Other (specify) _____

* i.e., for various professional disciplines, interested citizens or school personnel.

11. How have teachers or administrators in your state been notified of the mandatory reporting laws in regard to suspected cases of child abuse, neglect and sexual exploitation?

Check one or more of the following:

- a. Orientation _____
- b. Letter or magazine _____
- c. Policy memo _____
- d. Professional publication _____
- e. Other (specify) _____
- f. Have not been notified _____

12. Does your state department provide any services for children who have been identified as abused, neglected or sexually exploited?

NO _____

YES _____

If "yes" specify type:

- a. Special instruction _____
- b. Counseling services _____
- c. Other (specify) _____

Form for Large Districts,
Small Districts and Private Schools

1. Name of State _____
2. Name of Respondent _____
3. Position of Respondent _____
4. Date of Interview _____
5. Name of Interviewer _____

1. Does your organization have any policy (procedure or regulation) regarding the abuse, neglect and sexual exploitation of children?

NO _____
(If "no," skip
to #5)

YES _____
(If "yes," please
provide a copy)

2. When was this policy, procedure or regulation adopted?

YEAR _____

3. Does your organization have any adopted policy, procedure or regulation on how teachers or administrators verify suspected cases of child abuse, neglect and sexual exploitation?

NO _____

YES _____
(If "yes," please
provide a copy or
brief description)

4. Does your organization have any adopted policy, procedure or regulation on how teachers or administrators report suspected cases of child abuse, neglect and sexual exploitation?

NO _____

YES _____
(If "yes," please
provide a copy)

5. Has your organization sponsored any type of training on child abuse, neglect or sexual exploitation?

NO _____

YES _____

If "yes," specify for whom:

If "yes," specify nature:

Teachers _____

Optional _____

Administrators _____

Required _____

AUX personnel (e.g., nurses)

Part of general orientation

Specific to child abuse and neglect

6. Has your organization sponsored or co-sponsored any type of public or professional awareness campaign* about child abuse, neglect and sexual exploitation?

NO _____

YES _____
(If "yes," please
give a brief description)

7. Do the course requirements of your school provide that students receive any instruction as preparation for parenthood? (i.e., marriage and family, child development, family life education)

PRIMARY
K - 6

INTERMEDIATE
7 - 9

SECONDARY
10 - 12

* i.e., for various professional disciplines, interested citizens or personnel.

8. If such instruction is offered, what percentage (approximately) of student population is enrolled?

| | <u>PRIMARY</u> | <u>INTERMEDIATE</u> | <u>SECONDARY</u> |
|-------------|----------------|---------------------|------------------|
| 25% or less | _____ | _____ | _____ |
| 26% - 50% | _____ | _____ | _____ |
| 51% - 75% | _____ | _____ | _____ |
| 76% or more | _____ | _____ | _____ |

9. Do the course requirements of your school provide that students receive any instruction about child abuse, neglect and sexual exploitation?

| | <u>INTERMEDIATE</u> | <u>SECONDARY</u> |
|-----|---------------------|------------------|
| YES | _____ | _____ |
| NO | _____ | _____ |

10. Has your school conducted any special studies or projects on child abuse, neglect and sexual exploitation?

NO _____ YES _____

If "yes" specify topic:

- a. Identification _____
- b. Reporting _____
- c. Adjustment of children _____
- d. Other (specify) _____

11. Does your school provide any services for children who have been identified as abused, neglected or sexually exploited?

NO _____ YES _____

If "yes" specify type:

- a. Special instruction _____
- b. Counseling services _____
- c. Other (specify) _____

12. What types of problems or difficulties has your school encountered in dealing with suspected cases of child abuse, neglect or sexual exploitation?

- a. Lack of knowledge of characteristics of these children by school personnel _____
- b. Limited community resources _____
- c. Lack of cooperation from community resources after referral _____
- d. Reluctance of school personnel to become involved _____
- e. Other (specify) _____

Appendix C
FINDINGS OF THE ECS ASSESSMENT

40

33

Table 1
Number and Percent of Institutions Having Policies, Procedures
or Regulations Relating to Child Abuse

| Policy | State Boards of Education (35) | State Depart- ments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (233) |
|--------------------|---|---|--|---|---|----------------|
| Have policy | 6 (17%) | 8 (16%) | 22 (44%) | 14 (29%) | 5 (10%) | 55 (24%) |
| Do not have policy | 29 (83%) | 41 (84%) | 28 (56%) | 35 (71%) | 45 (90%) | 178 (76%) |

Table 2
Number of Institutions That Have Sent
Written Child Abuse Policies to ECS

| Status of Policy | State Boards of Education (35) | State Depart- ments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (233) |
|-------------------------------------|---|---|--|---|---|----------------|
| Written policy sent | — | 5 | 14 | 3 | 1 | 23 |
| Written policy not sent | 6 | 3 | 8 | 11 | 4 | 32 |
| Policy citing only state statute | 7 | 13 | 15 | 1 | — | 36 |
| Policy lacking | 22 | 28 | 13 | 34 | 45 | 142 |
| Total | 35 | 49 | 50 | 49 | 50 | 233 |

Table 3
Time Period During Which Institutions Adopted
Their Child Abuse Policies

| Adopted | State Boards of Education (35) | State Depart- ments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (233) |
|---------------------------------|---|---|--|---|---|----------------|
| 1965 or before | — | — | 1 | 1 | 1 | 3 |
| 1966-1969 | — | — | 2 | 4 | 1 | 7 |
| 1970-1973 | 4 | 2 | 5 | 4 | 2 | 17 |
| 1974 or after | 1 | 6 | 12 | 4 | 1 | 24 |
| Year not known to respondent | 1 | — | 2 | 1 | — | 4 |
| Total | 6 | 8 | 22 | 14 | 5 | 55 |

Table 4
Number of Institutions Having Policies
by Type of Policy

| Type of Policy | State Depart- ments of Education (8)* | Largest District in Each State (22)* | Smallest District in Each State (14)* | Largest Private School in Each State (5)* | Total (49)* |
|----------------|---|---|--|---|----------------|
| Verification | 3 | 11 | 8 | 3 | 25 |
| Reporting | 8 | 22 | 14 | 5 | 49 |

* Number having policy of either type.

Table 5
Number and Percent of Institutions That Have Offered
Training on Child Abuse for School Personnel

| Offered Training | State Depart- ments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (198) |
|------------------|---|--|---|---|----------------|
| Number | 15 | 30 | 8 | 5 | 58 |
| Percent | 31% | 60% | 16% | 10% | 29% |

Table 6A
Number of Institutions That Have Offered
Training on Child Abuse for School Personnel
by Nature of Training

| Training | State Depart- ments of Education (15)* | Largest District in Each State (30)* | Smallest District in Each State (8)* | Largest Private School in Each State (5)* | Total (58)* |
|-------------------------------|--|---|---|---|----------------|
| Optional | 12 | 16 | 3 | 3 | 34 |
| Required | 3 | 11 | 5 | 2 | 21 |
| Both optional and required | — | 3 | — | — | 3 |
| General orientation | 4 | 7 | 7 | 2 | 20 |
| Specific to child abuse | 11 | 23 | 1 | 3 | 38 |
| Both general and specific | — | 4 | — | — | 4 |

* Number offering training of any type.

Table 6B
Number of Institutions That Have Offered Training on Child Abuse
by Nature of Training and Categories of School Personnel

| Training | State Departments of Education (15) | | | Largest District in Each State (30) | | | Smallest District in Each State (8) | | | Largest Private School in Each State (5) | | |
|-------------------------|-------------------------------------|----------------|------------|-------------------------------------|----------------|------------|-------------------------------------|----------------|------------|--|----------------|------------|
| | Teacher | Administration | Auxiliary* | Teacher | Administration | Auxiliary* | Teacher | Administration | Auxiliary* | Teacher | Administration | Auxiliary* |
| Optional | 6 | 5 | 11 | 10 | 13 | 14 | 3 | 3 | 3 | 3 | 2 | 2 |
| Required | 6 | 2 | 2 | 8 | 10 | 11 | 5 | 3 | 4 | 2 | - | 1 |
| General orientation | 2 | 2 | 3 | 3 | 7 | 5 | 7 | 5 | 6 | 2 | 1 | 1 |
| Specific to child abuse | 6 | 5 | 10 | 16 | 18 | 21 | 1 | 1 | 1 | 3 | 1 | 2 |

*Auxiliary school personnel, such as social workers and nurses.

Table 7
Number and Percent of Institutions That Have Sponsored Public
or Professional Awareness Campaigns About Child Abuse

| Sponsored Campaigns | State Departments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (198) |
|---------------------|-------------------------------------|-------------------------------------|--------------------------------------|---|-------------|
| Number | 12 | 18 | 1 | 2 | 33 |
| Percent | 24% | 36% | 2% | 4% | 17% |

Table 8
Number and Percent of Institutions Having
"Preparation for Parenthood" as a Course Requirement

| Have Course Requirement | State Departments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (198) |
|-------------------------|-------------------------------------|-------------------------------------|--------------------------------------|---|-------------|
| Number | 15 | 26 | 28 | 46 | 115 |
| Percent | 31% | 52% | 57% | 92% | 58% |

Table 9
Number of Institutions Requiring "Preparation for Parenthood"
by Grade Level and Percent of Enrolled Student Population

| Level | State Departments of Education | | | | Largest School District in Each State | | | | Smallest School District in Each State | | | | Largest Private School in Each State | | | | | | | |
|---------------------------|--------------------------------|------------|-------|-------|---------------------------------------|---------|------------|-------|--|------------|---------|------------|--------------------------------------|-------|------------|---|---|---|----|----|
| | Unknown | 25 or less | 26-50 | 51-75 | 76 or more | Unknown | 25 or less | 26-50 | 51-75 | 76 or more | Unknown | 25 or less | 26-50 | 51-75 | 76 or more | | | | | |
| Primary (grades K-6) | 1 | 1 | 1 | 2 | 2 | 2 | 1 | 1 | 1 | 13 | 1 | 1 | 2 | 1 | 9 | 1 | 1 | 1 | 12 | |
| Intermediate (grades 7-9) | 3 | 2 | 1 | 3 | 3 | 3 | 3 | 1 | 2 | 13 | 1 | 1 | 3 | 1 | 13 | 1 | 1 | 2 | 32 | |
| Secondary (grades 10-12) | 3 | 5 | 1 | 1 | 3 | 8 | 5 | 1 | 2 | 8 | 1 | 7 | 3 | 1 | 7 | 1 | 3 | 2 | 1 | 28 |
| Total | 6 | 7 | 2 | 1 | 8 | 13 | 8 | 3 | 5 | 34 | 3 | 8 | 8 | 1 | 29 | 1 | 4 | 4 | 1 | 72 |

Table 10
Number and Percent of Institutions Requiring
Instruction About Child Abuse

| Provide Instruction | State Departments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (198) |
|---------------------|-------------------------------------|-------------------------------------|--------------------------------------|---|-------------|
| Number | 1 | 6 | 7 | 9 | 23 |
| Percent | 2% | 12% | 14% | 18% | 12% |

Table 11
Number of Institutions, by Grade Level,
Requiring Instruction About Child Abuse

| Level | State Departments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (198) |
|---------------------------|-------------------------------------|-------------------------------------|--------------------------------------|---|-------------|
| Intermediate (grades 7-9) | 1 | 4 | 2 | 2 | 9 |
| Secondary (grades 10-12) | 1 | 6 | 7 | 8 | 22 |

Table 12
Number of Institutions That Have Conducted Studies
or Project on Child Abuse

| Conducted Studies or Projects | State Departments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (198) |
|-------------------------------|-------------------------------------|-------------------------------------|--------------------------------------|---|-------------|
| Number | 7 | 6 | — | — | 13 |
| Percent | 14% | 12% | — | -- | 26% |

Table 13
Number of Institutions, by Type of Service,
Providing Services for Abused Children

| Type of Service | State Departments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (198) |
|-----------------------|-------------------------------------|-------------------------------------|--------------------------------------|---|-------------|
| Special instruction | 1 | — | — | — | 1 |
| Funds | 1 | — | — | — | 1 |
| Counseling services | 2 | 3 | 3 | 5 | 13 |
| Referrals | 4 | 10 | 20 | 18 | 52 |
| More than one service | 5 | 29 | 13 | 10 | 57 |
| Total | 13 | 42 | 36 | 33 | 124 |

Table 14
Number of Schools That Have Encountered Problems
in Handling Suspected Cases of Abuse

| Problems | Schools in Large Districts (50) | Schools in Small Districts (49) | Private Schools (50) | Total (149) |
|-----------------------|---------------------------------|---------------------------------|----------------------|-------------|
| Encountered | 41 | 26 | 16 | 83 |
| Not encountered | 7 | 16 | 22 | 45 |
| No incidence of abuse | 2 | 7 | 12 | 21 |

Table 15
Methods Used by State Departments of Education
to Notify School Personnel of Reporting Laws
and Number of Departments Using Each Method*

| | State Departments of Education |
|---|--------------------------------|
| Notification by letter or magazine | 22 |
| Notification by professional publications | 12 |
| Notification by other means (such as workshops, conferences, posters or meetings) | 13 |
| Notification at orientation | 4 |
| No method of notification | 11 |

*Of 49 responding, 38 state departments of education reported using more than one method of notification.

Table 16
Frequency Distribution of Responses to 12 Questions
From Telephone Interviews

| Item | State Boards of Education (35) | State Depart- ments of Education (49) | Largest District in Each State (50) | Smallest District in Each State (49) | Largest Private School in Each State (50) | Total (233) |
|---|---|---|--|---|---|----------------|
| Have adopted policy relating to child abuse | 6 | 8 | 22 | 14 | 5 | 55 |
| Have adopted verification policy | NA | 3 | 11 | 8 | 3 | 25 |
| Have adopted reporting policy | NA | 8 | 22 | 14 | 5 | 49 |
| Have offered training on child abuse for school personnel | NA | 15 | 30 | 8 | 5 | 58 |
| Have sponsored public or professional awareness campaign about child abuse | NA | 12 | 18 | 1 | 2 | 33 |
| Require "Preparation for Parenthood" | NA | 15 | 26 | 28 | 46 | 115 |
| Require instruction about child abuse | NA | 1 | 6 | 7 | 9 | 23 |
| Have conducted studies or project on child abuse | NA | 7 | 6 | — | — | 13 |
| Provide service for abused children | NA | 13 | 42 | 36 | 33 | 124 |
| Have encountered problems with cases of abuse | NA | NA | 41 | 26 | 16 | 83 |
| State departments of education that notify school personnel of mandatory reporting laws | NA | 38 | NA | NA | NA | 38 |

NA -- Not applicable

Table 17
Frequency Distribution of Responses
to Three Questions From Mail Questionnaire

| Item | State School Adminis- trator Associ- ations (33) | State NEA Affil- iates (41) | State AFT Affil- iates (19) | State PTA Affil- iates (28) | State School Board Associ- ations (36) | Total |
|--|--|---|---|---|---|-------|
| Have policy relating to child abuse | 4 | 9 | 1 | 12 | 2 | 28 |
| Have sponsored or cosponsored training on child abuse | — | 3 | 1 | 4 | — | 8 |
| Have sponsored or cosponsored awareness campaign about child abuse | — | 3 | 1 | 5 | — | 9 |

Appendix D
SAMPLES OF POLICY STATEMENTS

Samples of child abuse policies, positions and regulations are contained in the following pages. These include:

- The school board policy of the Dexter Municipal Schools, Dexter, N.M., regarding the reporting of suspected child abuse and neglect.
- A regulation by Hawaii's State Department of Education on reporting child abuse and neglect. Reporting form is attached.
- Guidelines by the New York State Department of Education regarding child abuse and maltreatment— suggestions to school personnel.
- Sections of the California Penal Code regarding the reporting of injuries upon minors by other than accidental means and procedures and maltreatment form for reporting such injuries.
- School responsibilities and procedures relative to law concerning child abuse and neglect for the Denver Public Schools (Colorado) and sample child abuse report to the Denver Department of Social Services.

135-A School Health Services:

Services shall be provided by a Registered Nurse to be employed by the District with the status afforded other Certificated employees.

Duties and responsibilities shall include but are not limited to:

- a. Reporting to administrative authorities conditions detrimental to the health and/or learning environment.
- b. Plan and conduct inservice programs for staff on conditions of concern in health areas.
- c. Plan and advise on classroom units of instruction to improve health and environmental concepts, skills, and attitudes of students.
- d. Maintain proper health and immunization records on students as required by district policy and in accordance with state law.
- e. Prepare and file with the Superintendent of Schools such district reports as required by state regulation.
- f. Report and advise with the Superintendent on all reported cases of suspected child neglect, abuse, or sexual molestation of students.
- g. Co-ordinate community services in the area of physical and mental health.
- h. Conduct applicable yearly screening in the areas of sight, dental, hearing, heart, T.B. services.
- i. Provide advice and co-ordination for applicable immunization clinics.

Board Policy on Child Abuse.

Dexter Municipal Schools
Dexter, New Mexico 88230

135-A School Health Services:

Services shall be provided by a Registered Nurse to be employed by the District with the status afforded other Certificated employees.

Duties and responsibilities shall include but are not limited to:

- a. Reporting to administrative authorities conditions detrimental to the health and/or learning environment.
- b. Plan and conduct inservice programs for staff on conditions of concern in health areas.
- c. Plan and advise on classroom units of instruction to improve health and environmental concepts, skills, and attitudes of students.
- d. Maintain proper health and immunization records on students as required by district policy and in accordance with state law.
- e. Prepare and file with the Superintendent of Schools such district reports as required by state regulation.
- f. Report and advise with the Superintendent on all reported cases of suspected child neglect, abuse, or sexual molestation of students.
- g. Co-ordinate community services in the area of physical and and mental health.
- h. Conduct applicable yearly screening in the areas of sight, dental, hearing, heart, T.B. services.
- i. Provide advice and co-ordination for applicable immunization clinics.

GEORGE R. ARIYOSHI
GOVERNOR

| | |
|-----------|----|
| DSV | KS |
| DDS | |
| Action by | |
| Complaint | Ca |
| Date to | KS |



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P. O. BOX 2380
HONOLULU, HAWAII 96804

Honolulu R.O.
TEHONO HARATA
SUPERINTENDENT

OFFICE OF THE SUPERINTENDENT

November 20, 1975

MEMO TO: Assistant Superintendents, District Superintendents, and Principals
 FROM: Francis M. Hatanaka, Acting Deputy Superintendent
 SUBJECT: Regulation 4240.4, Reporting Child Abuse & Neglect

Regulation 4240.4 was recently approved by the Board of Education and copies are being distributed for insertion in the 4000 Student Series of the DOE Policies and Regulations. This regulation was prepared in order to implement Hawaii Revised Statutes 350, Mandatory Reporting of Child Abuse. This law requires all teachers who suspect child abuse or neglect to report all cases orally and promptly to the Department of Social Services and Housing, and to be followed immediately with a written report. Immunity from libel suits is granted to the reporting party.

Procedures for compliance with this law are detailed in Regulation 4240.4:

1. Written report shall be prepared on Form OIS 4240.4, Child Abuse - Mandatory Reporting, and distribution made according to instructions on the form. (Form OIS 4240.4 will be printed in NCR form and distributed to District Special Services offices. In the meantime schools are requested to make copies of the form for temporary use.)
2. Oral reports shall be telephoned in to the Department of Social Services and Housing, Public Welfare Division, as follow:

HONOLULU - 24 HOUR SERVICE - Tel. 531-3511
 Children's Protective Services Center
 Children's Hospital
 226 North Kuakini Street
 Honolulu, Hawaii 96817
 Mailing Address: P. O. Box 339, Honolulu, Hawaii 96809

MAUI - Tel. 244-4363
 Mailing Address: P. O. Box 889, Wailuku, Maui 96793

MOLOKAI - Tel. 553-5651
 Mailing Address: P. O. Box 7, Kaunakakai, Molokai 96748

KAUAI - Tel. 345-4371
 Mailing Address: P. O. Box 8, Lihue, Kauai 96766

Assistant Superintendents, District Superintendents,
and Principals
Page 2
November 20, 1975

HAWAII

Hilo - Tel. 961-7251

Mailing Address: 75 Aupuni St., Hilo, Hawaii 96720

Kona - Tel. 323-2616

Mailing Address: P. O. Box 225, Capt. Cook, Hawaii 96704

Honokaa - Tel. 775-0523

Mailing Address: P. O. Box 352, Honokaa, Hawaii 96727

FMI:ds

Attachments

REPORTING CHILD ABUSE AND NEGLECT

REGULATIONS

1. Teachers or other school personnel shall report suspected child abuse and neglect cases to the Principal.
2. The Principal shall call the Department of Social Services and Housing, Public Welfare Division, and give the following information:
 - a. Name and address of student
 - b. Name and address of parents or caretaker
 - c. Age of student
 - d. Nature and extent of injuries or description of neglect
 - e. Any other information that might be helpful in establishing the cause of the injuries
3. The Principal shall forward a written report, using the Department's form, to the Department of Social Services and Housing, Public Welfare Division, within ten (10) school days after the initial oral report.
4. In no case will the teacher be relieved of the duty to report suspected child abuse and neglect.
 - a. If the Principal is not available, the teacher shall report to the Principal's designee who, in turn, will call the Department of Social Services and Housing, Public Welfare Division, and make an oral report of the suspected child abuse and neglect case.
 - b. The Principal's designee shall forward a written report to the Department of Social Services and Housing, Public Welfare Division, within ten (10) school days after the initial oral report.

Leg. Ref.: HRS Sec. 350
Regulation Adopted: 10/2/75

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. Box 2360
Honolulu, Hawaii 96804

CHILD ABUSE - MANDATORY REPORTING

Department of Social Services and Housing
Public Welfare Division

Dear Sir:

Pursuant to Hawaii Revised Statutes, Chapter 350, Mandatory Reporting of Child Abuse, this official report is submitted and to be filed with your telephone report to your agency.

Student _____ Birthdate _____

Name & Address of Parent(s) or Caretaker _____ Phone _____

Date and time first reported _____ To: _____
Intake Worker

Nature and extent of minor's injuries or description of neglect:
(This portion may be completed by the teacher assigned or school nurse, if available)

Other information:

Signature & position _____ Date _____

Signature _____ Date _____
(Principal)

Instructor: Please Report to Department of Social Services & Housing, Public Welfare Division, in your district.

MOOLELO - Tel. 931-3311
Child Care & Family Services Center
216 Kapaemahu Street
Honolulu, HI 96817
Public Welfare - P. O. Box 236
Honolulu, Hawaii 96804

PAPE - Tel. 264-343
Public Welfare - P. O. Box 889, Wailuku, HI 96793
MILWAUKIE - Tel. 339-1631
Public Welfare - P. O. Box 7, Kaneohe, HI 96744
KAPAAE - Tel. 255-371
Public Welfare - P. O. Box 8, Lihou, HI 96746

HAUULA - Tel. 947-331
Public Welfare - 75 Aupuni St., Hilo, HI 96720
EWA - Tel. 372-7418
Public Welfare - P. O. Box 233, Ewa, HI 96720
HONOLULU - Tel. 771-0223
Public Welfare - P. O. Box 322, Honolulu, HI 96722

DISTRIBUTION: WHITE - DSSH, Public Welfare Division, CANARY - District Office,
PINK - OIS-Student Affairs, GOLDENROD - School.

DEC 10 1975

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT
ALBANY, NEW YORK 12224

ASSOCIATE COMMISSIONER FOR
EDUCATIONAL FINANCE
AND MANAGEMENT SERVICES

TO: City, Village and District Superintendents
Supervising Principals, Directors of Pupil Personnel Services

FROM: Stanley L. Raub

SUBJECT: Child Abuse and Maltreatment: Suggestions for School Personnel

Chapter 1039, Laws of 1973, added a new Title 6 to the Social Services Law which has important implications for school administrators and pupil personnel service workers. Its purpose is to provide protective services to abused and maltreated children and reads, in part, as follows:

Abused and maltreated children in this state are in urgent need of an effective child protective service to prevent them from suffering further injury and impairment. It is the purpose of this Act to encourage more complete reporting of suspected child abuse and maltreatment and to establish in each county of the state a child protective service capable of investigating such reports swiftly and competently and capable of providing protection for the child or children from further abuse or maltreatment and rehabilitative services for the child or children and parents involved.

Although the child protective service of the county departments of social service is the agency legally responsible for investigating incidents of suspected child abuse and maltreatment, school personnel have an important role to play in identifying and reporting such situations. Moreover, since school personnel are the largest single source of referrals for protective services, it is important that they be aware of their legal responsibilities.

Questions frequently asked by school personnel are:

What is the purpose of the Child Protective Service Act?

It is directed toward case finding to protect children from abuse and maltreatment and to help parents with serious child-care problems. A child protective service is established in each county in order to facilitate this purpose.

What is the definition of child abuse and maltreatment?

Section 412 of the new Title 6 of the Social Services Law defines an abused child as a child under 16 years of age who is defined as an abused child by the Family Court Act. Section 1012 of the Family Court Act defines an abused child as follows:

(e) "Abused child" means a child less than sixteen years of age whose parent or other person legally responsible for his care

(i) inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ, or

(ii) creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ or

(iii) commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article.

Section 412 of the new Title 6 of the Social Services Law defines a maltreated child as a child under 18 years of age defined as a neglected child by the Family Court Act or one who has had serious physical injury inflicted upon him by other than accidental means. Section 1012 of the Family Court Act defines a neglected child as follows:

(f) "Neglected child" means a child less than 18 years of age

(i) whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent or other person legally responsible for his care to exercise a minimum degree of care

(A) in supplying the child with adequate food, clothing, shelter or education in accordance with provisions of part one of article sixty-five of the education law, or medical, dental, optometrical or surgical care though financially able to do so or offered financial or other reasonable means to do so; or

(B) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or drugs; or by using alcoholic beverages to the extent that he loses self-control of his actions; or by any other acts of a similarly serious nature requiring the aid of the court; or

(ii) who has been abandoned by his parents or other person legally responsible for his care.

(g) "Person legally responsible" includes the child's custodian, guardian, any other person responsible for the child's care at the relevant time. Custodian may include any person continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

(h) "Impairment of emotional health" and "impairment of mental or emotional condition" includes a state of substantially diminished psychological or intellectual functioning in relation to, but not limited to such factors as failure to thrive, control of aggression or self-destructive impulses, ability to think and reason, or acting out and misbehavior, including incorrigibility, ungovernability or habitual truancy; provided, however, that such impairment must be clearly attributable to the unwillingness or inability of the respondent to exercise a minimum degree of care toward the child.

What kind of situations must school authorities report?

All suspected cases of child abuse and maltreatment as defined above. It is traditional that over the years New York State school personnel have attempted to assist children and their families directly and by referral to community agencies in situations that do not involve abuse and maltreatment, and of course this exemplary practice should continue.

Which school personnel are required to report incidents of child abuse or maltreatment?

All school officials such as administrators, teachers, school-nurse teachers, and school social workers are required to inform the chief school officer or his delegate of suspected cases of abuse or maltreatment. The officer or his delegate then has the responsibility to report as indicated below. It is the responsibility of the child protective service of the local county department of social service to make the investigation.

Child abuse and maltreatment are not limited to low-income families. School personnel in middle and upper class communities may be reluctant to become involved in this reporting procedure. One means of clarifying their responsibility to report all cases of suspected child abuse and maltreatment, is for school personnel to meet with their local child protective service staff to discuss this matter. The school attorney and the attorney for the local department of social services should attend this meeting to review legal questions.

How does the school administrator report?

Cases of suspected abuse and maltreatment (neglect) must be reported to the New York State Child Abuse and Maltreatment Register through its toll-free number 1-800-342-3720. (In New York City, cases must be reported to the New York City Central Registry 431-4680).

State Department of Social Service Form DSS-2221A, "Report of Suspected Child Abuse or Maltreatment," must be sent to the local child protective service by the school official reporting the case within 48 hours after the oral (telephone) report to the State Central Register. This written report may be used as evidence in the event the referral precipitates legal proceedings.

If a school official believes a child should be taken into protective custody, this should be noted when the oral report is made to the State Central Register in order that immediate action by the local child protective service may be initiated.

What documentation may the school district provide when filing a report?

When a school employee reports a case of suspected child abuse or maltreatment, the school administrator, or his or her designated agent, may take or cause to be taken at public expense, color photographs of visible trauma and shall, if medically indicated, cause a radiological examination to be performed on the child.

What are the legal implications for school personnel?

School personnel who, in good faith, make a report or who take photographs of injuries and bruises have immunity from any liability, civil or criminal, that might otherwise result by reasons of such action. The good faith of any person required to report cases of child abuse or maltreatment is presumed.

It should be noted that any person required to report child abuse or maltreatment who willfully fails to do so is guilty of a class A misdemeanor and may be civilly liable for the damages proximately caused by such failure.

School officials should assist the staff of the child protective service to fulfill their responsibilities. However, if the abuse or maltreatment did not occur on school property, in so far as practicable it should be investigated outside of school property, including the taking of photographs, and interviews with the child. There may be circumstances where it may be necessary to interview the child at school and this should be done in the presence of a school official.

What about school records and reports?

School administrators can request a summary report of the investigation of cases referred to a child protective service. Such reports are not made routinely but are available upon request and must be kept confidential and in a secure location.

The adult subject of a case of suspected child abuse or maltreatment has a right to a copy of all information in the State Central Register. However, data that would identify the person who made a report or who cooperated in a subsequent investigation, may be withheld if such is detrimental to the safety or interest of that person. The determination as to whether or not the information is detrimental to the safety of the person making the report is made by the State Commissioner of Social Services.

When a report has been determined to be unfounded, all identifying data in the State Central Register are automatically expunged. The school must also destroy its records.

How does the school district develop its policy and procedures for reporting child abuse?

School authorities should develop written policies and procedures to guide school personnel in making referrals. A staff member should be assigned liaison responsibility with the child protective service of the local department of social services. The school board attorney should be consulted in establishing the school district policy and procedures. These should include:

the name of the school administrator responsible for liaison to protective services

the state toll-free telephone number

the method for completing, forwarding and filing copies of Form DSS-2221A and for destroying this Form if the case is determined to be "unfounded" by the local child protective service

the policy concerning interviewing students at school by child protective service staff members

the availability of the school physician

the access to camera for photographs or method of referral to local clinics or hospital for examinations and photographs

the development of a clear understanding of the definition of an abused or maltreated child

the legal implications for school personnel

If further information is desired concerning any aspects of suspected cases of child abuse or maltreatment, please contact the Bureau of School Social Services, telephone (518) 474-8790.

3/17/75

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LOS ANGELES UNIFIED SCHOOL DISTRICT
Division of Educational Support Services

BULLETIN NO. 22 (Rev.)
January 1, 1976

SUBJECT: REPORTING INJURIES INFLICTED UPON MINORS BY OTHER THAN
ACCIDENTAL MEANS

- I. INTRODUCTION
- II. SECTIONS 11161.5 and 11162, CALIFORNIA PENAL CODE
- III. SCHOOL PERSONNEL RESPONSIBLE FOR REPORTING
- IV. MINORS REPORTABLE UNDER SECTION 11161.5 of CALIFORNIA PENAL CODE
- V. PROCEDURES FOR REPORTING
- VI. COMPLETION AND DISTRIBUTION OF FORM 32.47
- VII. ENTRY ON PUPIL'S HEALTH CARD

I. INTRODUCTION

This bulletin updates Division of Educational Support Services Bulletin No. 22 on the same subject dated July 1, 1974.

II. SECTIONS 11161.5 and 11162, CALIFORNIA PENAL CODE

Section 11161.5 of the California Penal Code mandates specified persons in any public or private school system to report cases of suspected physical and mental abuse or sexual molestation of minors to designated local authorities. Minors are persons under the age of 18.

Section 11161.5 of the California Penal Code also requires that the report be made both by telephone and in writing to the local police authority and to the county welfare department (in Los Angeles, the Department of Public Social Services) concerning every minor who has been observed:

- (a) to have physical injury or injuries which appear to have been inflicted upon him or her by other than accidental means by any person
- (b) to have been sexually molested
- (c) to have suffered any injury prohibited by the terms of Section 273a, California Penal Code (inflicting or permitting unjustifiable physical pain or mental suffering upon a child or endangering the person or health of a child)

Section 11162 of the California Penal Code states that any person violating Section 11161.5 is guilty of a misdemeanor and is punishable by imprisonment in the county jail not exceeding six months, or by a fine not exceeding five hundred dollars (\$500), or by both.

III. SCHOOL PERSONNEL RESPONSIBLE FOR REPORTING

The following staff members have the responsibility of reporting injuries to pupils by other than accidental means:

| | | | | | | |
|----------------------------------|---|---|---------------------------------------|---|---|---|
| School physician | | | | | | |
| School nurse | | | | | | |
| School principal | | | (when no school physician is present) | | | |
| School PSA counselor | " | " | " | " | " | " |
| School counselor or psychologist | " | " | " | " | " | " |
| School teacher | " | " | " | " | " | " |
| Children's Center administrator | " | " | " | " | " | " |

The above persons shall not incur any civil or criminal liability as a result of making any report concerning child abuse authorized or required by law unless it can be proven that a false report was made with malice.

Other school personnel who observe suspected injuries to minors should notify the school administrator.

The District legal adviser has indicated that, in addition to the school physician and school nurse, the school principal has the primary responsibility for reporting. This opinion is based on Section 5551 of the California Administrative Code, Title V, Education, which charges the principal with the responsibility for the supervision and administration of his or her school. However, the principal's responsibility does not relieve other legally designated school persons from complying with the requirement, when necessary, to report the mistreatment of minors.

IV. MINORS REPORTABLE UNDER SECTION 11161.5 OF CALIFORNIA PENAL CODE

Reports must be made regarding any minor:

- (a) who has been observed to have had a physical injury or injuries which appear to have been inflicted by other than accidental means by any person
- (b) who has been sexually molested
- (c) who has suffered any injury prohibited by the terms of Section 273a

The law states that the school staff member reporting must have observed the pupil's alleged injury. It is the responsibility of the law-enforcement agency, not the school staff member, to investigate the situation; to interview the pupil; to confer with the person alleged to have mistreated the minor; and, in general, to make a disposition of the case. When necessary and for reasonable cause, the law-enforcement agent may remove the minor from school and take the minor into protective custody.

Some examples of physical injuries inflicted which may be observed include contusions, lacerations, and welts on the head or body caused by the use of a belt buckle, stick, electric cord, or fist.

Section 11161.5 does not require reporting of minor injuries, such as a bloody nose, black eye, or scraped knees, that have been inflicted upon a minor by another pupil as the result of a "common schoolyard scuffle."

V. PROCEDURES FOR REPORTING:

The law requires that both telephone and written reports must be made to the local law-enforcement agency and to the county welfare department within 36 hours. However, it is urged that reports be made immediately.

A. Report by telephone

1. To the local police authority having jurisdiction in the area where the minor lives.
 - a. Los Angeles Police Department--Call Abused Child Unit at 435-4239.
 - b. L.A. County Sheriff's Department--Call the local station of the Sheriff's Department and ask to speak to the complaint desk officer.
 - c. Local police department: e.g., San Fernando Police Department, South Gate Police Department. Call the station and ask for the desk officer.

If at the time of reporting by telephone to the local police department it is known whether English is spoken in the pupil's home, make this fact known.

2. To the L.A. County Department of Public Social Services--Call the Supervisor, Intake and Detention Control, MacLaren Hall, at 443-4251.

The telephone report shall include the name, address, sex, age, and grade of the minor; name and address of the parent or legal guardian; name of the school, and, if known, the character and extent of the injuries or molestation.

B. Written report

A Mistreatment of Minor Report (Form 32.47) should be completed as soon as possible and copies sent to:

1. The local police authority:
 - a. Abused Child Unit, Los Angeles Police Department, 150 North Los Angeles Street, Room 338, Los Angeles, 90012; or

- b. Local station of Sheriff's Department; or
- c. Local police station.

2. Supervisor, Intake and Detention Control, L.A. County
Department of Public Social Services, MacLaren Hall,
4039 North Gilman Road, El Monte, 91732.

VI. COMPLETION AND DISTRIBUTION OF FORM 32.47

Copies of Form 32.47 may be requested by calling 625-6977. See sample of form on next page.

A. Completion

1. The identifying information should be provided in full.
2. Statements concerning observations of minor's injuries or condition should be factual and objective.
3. Statements of personal judgment concerning the minor or the alleged offender should be avoided.
4. When the minor's explanation of the injuries is recorded, it should be reported as nearly verbatim as space allows. Quotation marks should be used when appropriate.
5. It is helpful to have the statements typed.

B. Distribution

1. White copy to local police authority.
2. Pink copy to Supervisor, Pupil Services and Attendance Branch, Room G-384, Central Administrative Offices.
3. Yellow copy to be retained by school.
4. Green copy to Supervisor, Intake and Detention Control, MacLaren Hall.
5. Blue copy is no longer needed and should be discarded.

VII. ENTRY ON PUPIL'S HEALTH CARD

- A. As soon as possible, the school physician or nurse shall record on the pupil's health card a description of the character and extent of the observed injuries inflicted upon the minor and the name of the person alleged to have inflicted the injuries.
- B. The school physician or nurse shall also record the name of the reporting person and the date on which the injuries were observed and reported.
- C. The yellow school copy of the report may be placed in an envelope and attached to the pupil's health card.

This request for information has been approved
by the Office of the Deputy Superintendent.

For further assistance, please call Mr. Richard A. Flynn, Supervisor, Pupil Services
and Attendance Branch, at 625-6977.

APPROVED: JOHN F. LEON, Associate Superintendent

DISTRIBUTION: All Schools and Offices

Form 32.47 Revised 3/72
MISTREATMENT OF MINOR REPORT (Penal Code Section 11161.5)

Pupil's Name _____ Sex: M F Date _____
 Birthplace _____ Birth Date _____
 Address _____ City _____ Zone _____ Phone _____
 School _____ Grade _____ Parent's Name _____ Phone _____
 Parent's Address _____ City _____ Zone _____ Phone _____

The above-named minor appears to have had physical injury inflicted upon him/her by other than accidental means. The character and extent of the injury, as observed, is as follows:

How did minor explain injury:

This observation was reported by telephone to:

Law Enforcement Agency/Officer _____ Division/Station _____ Date _____

L.A. County DPSS—MacLaren Hall—Detention Control (Phone 463-4251) _____ Date _____

White—Law Enforcement Agency Copy
 Pink—Supervisor, PSA Section Copy
 Yellow—School Copy
 Green—Supervisor, MacLaren Hall Copy

Physician/Hurst/Principal/PSA Couns./School Couns.
LOS ANGELES UNIFIED SCHOOL DISTRICT
 Pupil Services and Attendance

Copy of Form 32.47 Revised 3/72. Forms are available
from Pupil Services and Attendance Section



DENVER PUBLIC SCHOOLS

DIVISION OF GENERAL ADMINISTRATION
Department of Health Services

DIVISION OF EDUCATION
Department of Pupil Services

BULLETIN NUMBER TWO
September 1, 1975

To All Principals, Nurses, Social Workers and Psychologists

SCHOOL RESPONSIBILITIES AND PROCEDURES RELATIVE TO LAWS CONCERNING CHILD ABUSE
AND NEGLECT (Superseding BULLETIN NUMBER ONE, September 1974)

In accord with Colorado Statutes, Denver Public Schools has responsibilities in the area of child abuse. Both statutes and procedures have been revised several times since they were instituted in 1963. To clarify the roles and responsibilities of the school district and its personnel, the following sections of the law are stated:

Article 10 of Title 19, Colorado Revised Statutes 1973 as REPEALED AND REENACTED, WITH AMENDMENTS, in 1975

19-10-103 DEFINITIONS

(1) (a) "Abuse" or "child abuse or neglect" means an act or omission in one of the following categories which seriously threatens the health or welfare of a child:

(I) Any case in which a child exhibits 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 is not justifiably explained, or where the history given concerning such condition or death, or circumstances indicate that such condition or death may not be the product of an accidental occurrence;

(II) Any case in which a child is subjected to sexual assault or molestation;

(III) Any case in which the child's parents, legal guardians, or custodians fail to take the same actions to provide adequate food, clothing, shelter, or supervision that a prudent parent would take.

19-10-104 PERSONS REQUIRED TO REPORT CHILD ABUSE OR NEGLECT

(1) Any person specified in subsection (2) of this section who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect shall immediately report or cause a report to be made of such fact to the county department or local law enforcement agency.

(2) Persons required to report such abuse or neglect or circumstances or conditions shall include any:

(a) Physician or surgeon, including a physician in training;

(i) Registered nurse or licensed practical nurse;

(l) School official or employee;

(m) Social worker, or worker in a family care home or child care center, as defined in Section 26-6-102, C.R.S. 1973.

(4) Any person who willfully violates the provisions of subsection (1) of this section:

(a) Commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine not to exceed two hundred dollars;

(b) Shall be liable for damages proximately caused thereby.

In Denver County, the implementation of this law is the responsibility of the Delinquency Control Division working in cooperation with the Division of Services for Families, Children and Youth of the Denver Department of Social Services.

To fulfill our obligations to our pupils in conformity with the law of the State, the following procedures have been developed:

1. When there is good reason to believe a child has been abused, the principal or his designee, after consultation with the social worker and the nurse, shall call the Police Dispatcher, 297-2011. The Dispatcher will wish to know the identity of the caller, the location and the telephone number of the school, and the general nature of the complaint. A uniformed officer will respond within the shortest possible time. It is his responsibility, using whatever information the school nurse, the school social worker, teachers and other school personnel can supply him, to make an immediate judgment as to disposition. His alternatives are:
 - (a) take the child to Denver General Hospital for medical examination.
 - (b) take the child to the Delinquency Control Division for further questioning and possible placement outside the home.
 - (c) take the child to his home himself.
 - (d) leave the child in school.
2. Whatever disposition the officer makes at the time, he is required immediately to file a report with DCD upon which an experienced detective will be assigned to make a thorough investigation.

Subsequent investigation and action to help prevent further physical abuse to the child are the responsibility of DCE working with the Department of Social Services. No one can remove a child from the home without police authority.

Every attempt should be made to preserve the best possible relationships between school and parents, since it is likely that the child will return to the home sooner or later and hence to school. The following policy applies to this situation.

'Denver Public Schools Policy 1206C
PUPILS, DISMISSAL OF DURING SCHOOL SESSION

Section D - Custody requested by police officer

Whenever a police officer desires to take a child into custody, the principal shall release the child to the police officer and shall notify the child's parents of his action. The police officer shall notify the principal of the specific grounds for taking the child into temporary custody. The principal shall advise the child's parents of the grounds stated and shall note this information on the notification memorandum. The principal, in all cases, should prepare the notification memorandum (see attached form). One copy should be maintained in the school file and one copy should be sent to the parents.

Section E - The principal will make every effort possible to insure that the taking of custody be made in privacy, preferably in the principal's office."

3. The principal or his designee shall immediately write a "Child Abuse Report". This form, CAR 975, is new and is available only through the Department of Health Services or the Department of Social Work Services.

Three copies of this form are to be filled out. The original is to be mailed at once to the Division of Services for Children and Youth, 456 Bannock Street, 80204. One copy is attached to the child's health record and the third copy goes to Health Services for the central file.

4. In cases where long-standing abuse rather than acute mistreatment is involved, i.e. those medically diagnosed as "malnutrition" and "failure to thrive," form CAR 975 is to be written up and mailed as above. It is not necessary, in such cases, to call the Police Dispatcher.

It might be helpful to consult with your School Resource officer if you have questions. If you wish to refer to the Denver Department of Social Services, please call Services for Children and Youth, 778-6363.

5. The above categories are clear and should be taken care of promptly. Not so simple are cases of minimal damage. Often repeated instances of minor contusions or the child's fearful (or angry) reports are significant in a longitudinal study. Here also may be an opportunity to do preventive work - directly by the school team, referral to an appropriate agency, etc. Hopefully, in the process, existing relationships between school personnel and parents can be used and extended to serve the child's welfare. If, however, there is not improvement in the situation, a report must be made with full documentation as to the methods the school has used in attempting to better the child's condition.

6. Professional judgment must be brought to bear on history and physical evidence in assessing the validity of a charge of child abuse. It is hoped that the school nurse will have an opportunity to see each child suspected of having been maltreated and that her opinion will be part of the evaluation. The Health Services Department physicians will be glad to give consultation if this is desired. The teacher and social worker usually have significant contributions to make.
7. Remember that any citizen may report what he or she considers child abuse by calling the Police Dispatcher, 297-2011 or the Department of Families, Children and Youth Services, 778-6363. Anonymous as well as identified callers can be assured the complaint will be investigated. In general, the procedures which involve cooperative efforts of several staff members have been found to offer the best long-term program for the child's welfare.

The law specifically states (19-10-110) "Any person participating in good faith in the making of a report or in a judicial proceeding held pursuant to this title...shall be immune from any liability, civil or criminal, that otherwise might result by reason of such reporting."

COMMENT

The difficult problem of developing a plan which will be most desirable for the welfare of the child takes the best efforts of many people. It is imperative that law enforcement, medical and social agencies share all available information and work together towards the best possible solution. While the welfare of the child is of primary concern, we must remember that parents have feelings and rights. The dependent child, himself, is torn between his loyalty to his family and his mental and physical suffering. Parents who abuse their children have serious family problems and need help and treatment for their own illness.

Our ultimate goal is a long-term one, expressed in the Colorado Children's Code as:

- . To secure for each child such care and guidance, preferably in his own home, as will best serve his welfare and the interest of society
- . To preserve and strengthen family ties whenever possible, including improvement of the home environment

SPECIAL CONCERNS OF HEALTH SERVICES DEPARTMENT

Health Services Department needs procedures for monitoring and evaluating the program. These include (1) preparation of reports at monthly intervals, (2) establishment of a central file of reported cases, and (3) follow-up information to indicate the outcome of the handling methods selected in individual cases. Each school should designate someone (probably the nurse or social worker) to inquire of the family, Division of Children and Youth Services, School Resource officer or other appropriate sources as to what happened as a result of the report. To implement these, after the report has been sent, we are asking the school nurse to:

- (1) File a copy of form, CAR 975 with the child's health record
- (2) Attach a copy of CAR 975 to the Monthly Report for the Health Services Department central file

- (3) Send follow-up information to Health Services Department. She will use "Additional Pupil Health Information," Stock No. 01-0300.07, which will then be attached to the central file record. Appropriate comments should be added to the child's health record.

SPECIAL CONCERNS OF SOCIAL WORK SERVICES

- (1) Optimum school team involvement in preventive work with families who are having difficulties with their children and who may have problems in dealing with their frustrations.

This might include assessment of causes for a child's failure in the classroom, physical needs, and emotional and relationship problems. Such remedial measures as are possible in school should be provided. Perhaps the parents can be helped with disciplinary methods and in reinforcing the school's attempts toward better motivation of the child.

- (2) Prompt and continued communication with other social agencies.

It would be helpful if the school social worker called Children and Youth Services immediately when a Child Abuse Report is made to determine what useful information the school may have regarding the child's social background and academic situation and how it may best be made available to those carrying responsibility for the case.

It is possible that not all information may be available to the school at the time when the report should be made. The report should not be delayed while the school social worker attempts to obtain any missing items. Send the report in immediately and the school social worker, with the Children and Youth worker, will determine how the remainder can best be obtained.

- (3) An adequate compilation of social follow-up material to be supplied to the nurse for inclusion in the central file.

John M. Lampe, M.D., Executive Director
Department of Health Services

James M. O'Hara, Executive Director
Department of Pupil Services

Approved: Carle E. Stenmark
Roscoe L. Davidson

CHILD ABUSE REPORT TO THE DENVER DEPARTMENT OF SOCIAL SERVICES
Division of Services for Families, Children and Youth

Name of Child _____ Birthdate _____ Sex _____
Address _____
Parent's/Custodian's Name _____
Address _____ Telephone Number _____

1. Nature and extent of the child's injuries or evidence of neglect or molestation:

2. Describe any evidence of previous known or suspected abuse or neglect to the child or to the child's siblings:

3. Names and addresses of the persons responsible for the suspected abuse or neglect, if known:

4. Name, address, telephone number of school and name and position of the person making the report:

5. Action taken by the school:
 - A. Date and time of call to police:

 - B. Other:

(Date)

CAR 975 - September 1975-500

(Signature)

71

64



Education Commission of the States

The Education Commission of the States is a nonprofit organization formed by interstate compact in 1966. Forty-five states, Puerto Rico and the Virgin Islands are now members. Its goal is to further a working relationship among governors, state legislators and educators for the improvement of education. This report is an outcome of one of many Commission undertakings at all levels of education. The Commission offices are located at 300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203.