

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

REPORTING CHILD ABUSE

2.80

A. Definitions of Child Abuse, Abandonment or Neglect

- (1) “Abuse” means any willful or threatened act that results in any physical, mental or sexual injury or harm that causes, or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal Discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
- (2) “Abandonment” means a situation in which the parent or legal custodian of a child, or in absence of the parent or legal custodian, the care giver responsible for the child’s welfare, while being able, makes no provision for the child’s support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations.
- (3) “Neglect” occurs when a child is deprived of or is allowed to be deprived of, necessary food, clothing, shelter or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child’s physical, mental, or emotional health to be significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability, unless actual services for relief have been offered and rejected. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal custodian.

B. Prohibition Against Child Abuse, Abandonment or Neglect

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

C. Notification of Responsibility

A notice providing the following information shall be posted in a prominent place in each school:

- (1) All employees of the District have the responsibility to report all actual and

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

suspected cases of child abuse, abandonment or neglect; have immunity from liability if they report such cases in good faith; and the responsibility to comply with child protective investigations and all other provisions of law related to child abuse, abandonment or neglect.

- (2) Statewide toll-free telephone number for the central abuse hotline.

D. Requirements for Reporting Child Abuse, Abandonment or Neglect

- (1) Florida Statute requires that any person, including, but not limited to, any:
 - (a) Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care or treatment of persons;
 - (b) Health or mental health professional other than one listed in (a):
 - (c) Practitioner who relies solely on spiritual means for healing;
 - (d) School teacher or other school official or personnel;
 - (e) Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker; or
 - (f) Law enforcement officer or judge who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, care giver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Department of Children and Family Services.
- (2) Each report of known or suspected child abuse, abandonment, or neglect shall be made immediately to the Department of Children and Family Service's abuse hotline, on the single statewide toll-free telephone number. The teacher or staff member may also contact the principal, a school designee, district office or support person to let them know the case has been reported, and for their own documentation and protection file a District County Schools Child Abuse Incident Referral Report.
- (3) Reporters in the categories specified in (1) above, will be required to provide their names to hotline staff. The extent of confidentiality of the reporter's name, with respect to the Department's records, is governed by Florida Statute.
- (4) In accordance with state law, the Department of Children and Family

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

Services, in conjunction with applicable law enforcement agencies, are responsible for investigating allegations of child abuse, abandonment, or neglect.

- (5) Complaint Against School District Employee, Volunteer or Agent: If a complaint is made against a School District employee, volunteer, agent or other person affiliated with the School District which, if true, would constitute child abuse, neglect or abandonment by that person, that complaint shall be immediately forwarded to the Superintendent. The Superintendent shall forward the complaint to the Department of Children and Family Services for investigation as provided by statute. The person accused of child abuse, abandonment or neglect may be suspended or reassigned from duties involving interaction with children pending investigation of the allegations. If the allegations are substantiated by the Department of Children and Family Services, the Superintendent shall take appropriate disciplinary action. School District staff shall in good faith cooperate with, and participate only as directed by, the Department of Children and Family Services and law enforcement during the investigation, and with respect to any subsequent criminal proceedings.
- (6) When a report of child abuse, neglect or abandonment has been made to the Department of Children and Family Services or law enforcement agencies, a teacher, staff member, volunteer or agent should not take it upon himself/herself to interview the child, talk with the suspected abuser, discuss the allegations with other potential witnesses or otherwise investigate the case. Nor should a teacher, staff member, volunteer or agent divulge information relating to the complaint to persons other than school officials, the Child Protection Team, the Department of Children and Family Services, law enforcement, the State Attorney or other court designee. If a parent, caregiver, or legal guardian desires information related to a complaint of child abuse, that person should be directed to contact the Department of Children and Family Services and/or the applicable local law enforcement agency.
- (7) Florida Statute provides that a person required by state law to report child abuse, abandonment, or neglect, but who willingly and knowingly fails to do so, or prevents another from doing so, is guilty of a first degree misdemeanor. Likewise, knowingly and willingly filing a false report of child abuse, neglect, or abandonment or advising another to do so constitutes a third degree misdemeanor.
- (8) Child Abuse Prevention Training for School district employees, staff, volunteers shall be provided in compliance with, and as specified in Florida Statute.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

STATUTORY AUTHORITY:

120.54; 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

39.0015; 39.01; 39.201; 39.202; 39.203;
39.205; 39.206; 1001.43; 1006.061, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S): 02/09/04; 08/15/05 (EDITORIAL);
11/14/05; 11/18/08 (EDITORIAL)
FORMERLY: NEW 05/12/03