

## CHILD ABUSE AND NEGLECT

In accordance with state law, any MSD Wayne employee who has reason to believe that a child is a victim of child abuse or neglect shall make an immediate report to the appropriate individuals.

### Definitions

**“Reason to believe”** is defined by I.C. 31-9-2-101 as, "evidence that, if presented to individuals of similar background and training, would cause the individuals to believe that a child was abused or neglected." As a general rule, this standard should be given liberal interpretation and when an individual is in doubt, go ahead and make a report.

**“Child abuse or neglect”** as used in this policy refers to a "child in need of services" defined by I.C. 31-34-1-1 *et. seq.* This definition includes, but is not limited to, when a child needs care, treatment, or rehabilitation that the child is not receiving and is unlikely to be provided or accepted without the coercive intervention of the court, and:

- a) The child’s parent, guardian, or custodian has failed to supply the child with necessary food, clothing, shelter, medical care, education, or supervision.
- b) The child’s parent, guardian, or custodian has committed an act or omission that injured the child's physical or mental health. Evidence that the illegal manufacture of a drug or controlled substance is occurring on property where a child resides creates a rebuttable presumption that the child’s physical or mental health is seriously endangered.
- c) The child is the victim of a sex offense or is living in the same household as someone who committed a sex offense.

### Procedure

1. If a District employee has reason to believe that a child is a victim of child abuse or neglect, the employee shall make an immediate report to the Indiana Department of Child Services (DCS). Ideally, this report would be made in the presence of the child’s building-level administrator, nurse, counselor, or parent liaison. However, if a building-level administrator, nurse, counselor, or parent liaison is not immediately available to join in reporting, the employee shall immediately make the report to DCS and then immediately after notify a building-level administrator, nurse, counselor, or parent liaison that the report was made. **“Reason to believe”** should be interpreted broadly and liberally; **when in doubt whether you should report or not, report.**
2. The District employee shall immediately telephone the Indiana Department of Child Services (800-800-5556) and provide the following information, if known:
  - a) Student's name, address, date of birth, and grade in school.

- b) School name and hours.
- c) Person to contact at school (building level administrator, nurse, counselor, or parent liaison.)
- d) Parent's (or person responsible for care of the child) name, address, and telephone number.
- e) If there are weapons in the student's home
- f) Nature of suspected abuse or neglect, including the nature and extent of any present injuries, as well as any evidence of previous injury.
- g) Identity of alleged perpetrator.
- h) Any other readily available, pertinent information which could be helpful in establishing cause of injury, abuse, or neglect.

If DCS cannot be reached, local law enforcement shall be contacted immediately.

3. At the building administrator, nurse, counselor, or parent liaison's discretion based on the individual circumstances, law enforcement may be notified as well as the Department of Child Services.
4. Document DCS report utilizing the MSD Wayne Township DCS Reporting Form (C500 –E) and submit to the building principal.
5. It is not the responsibility of the school or individual making the initial report to investigate the suspected abuse or neglect. Reports should be made to the Indiana Department of Child Services immediately without any delay. **Do not delay reporting in order to investigate the veracity of the suspected abuse or neglect, seek evidence corroborating the suspected abuse or neglect, interview any potential "witnesses," etc.** The Indiana Department of Child Services will conduct the investigation. In such cases, the school will provide a place for an interview with the child if it is requested by DCS.
6. If the school suspects the child is abused or neglected by someone in the child's home, and believes the child's safety will be jeopardized by releasing the child to go home at the end of the school day, the building administrator shall contact a District administrator (including the Superintendent). In consultation with DCS and/or local law enforcement, the administrator will determine whether the child may be released to home.
7. A building administrator must contact District administration prior to releasing a child to law enforcement or DCS. A child should not be released by the school to anyone other than a properly identified law enforcement officer unless a court order authorizing such action is presented. If the DCS worker has a court order or is accompanied by a law enforcement officer, the child should be released. Arrangements should then be made with the DCS worker and the law enforcement officer for contacting the parent.
8. In some cases, the school may be conducting a different investigation when they discover a reason to believe a child is the victim of neglect or abuse (for example, the school may be investigating an alleged incident of bullying according to the Anti-Bullying Policy, when the school official conducting the investigation suspects the alleged bully is the

victim of abuse at home). As described above, the report to DCS shall be made immediately, regardless of the status of the other investigation. The school official conducting the investigation shall consult with DCS and/or local law enforcement to ensure the school's investigation can be completed without interfering with DCS and/or local law enforcement.

9. The building administrator, or his/her designee will be responsible for all follow-up communication with DCS and will keep appropriate school personnel informed about the outcome of reported child abuse or neglect.
10. The Superintendent or his or her designee will be responsible for maintaining any record of final determination from the building administrator and/or DCS.