

CENTENNIAL SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: CHILD/STUDENT ABUSE

ADOPTED: October 14, 2014

REVISED:

<p>1. Authority SC 1205.6 18 Pa. C.S.A. Sec. 4304 23 Pa. C.S.A. Sec. 6301 et seq</p> <p>2. Definitions 23 Pa. C.S.A. Sec. 6351, 6354</p> <p>23 Pa. C.S.A. Sec. 6354</p> <p>23 Pa. C.S.A. Sec. 6303</p>	<p style="text-align: center;">806. CHILD/STUDENT ABUSE</p> <p>The Board requires district employees to comply with identification and reporting requirements for possible child abuse as well as victimization of students by other school employees. The Board directs the district, and independent contractors of the district, to provide their employees with training for recognition and reporting of child abuse as required by law.</p> <p>Abuse - Child Abuse, Serious Bodily Injury, Serious Mental Injury, Serious Physical Injury, Sexual Abuse or Exploitation, and Sexual Misconduct, as defined in this policy.</p> <p>Administrator - the Superintendent, the Director of Human Resources and Public Relations, an independent contractor as may be applicable under a given situation, and the principal of the school where the abused student is enrolled.</p> <p>Applicant - an individual who applies for a position as a school employee; and an individual who transfers from one position as a school employee to another position as a school employee. A reassignment within the same employment classification is not deemed to be a transfer from one position to another.</p> <p>Child Abuse - includes any of the following:</p> <ol style="list-style-type: none"> 1. Any recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a student, regardless of age. 2. Any act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse of or sexual exploitation of a student, regardless of age. 3. Any recent act, failure to act, or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse of or sexual exploitation of a student, regardless of age.
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	<p>4. Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers a student's life or development or impairs the student's functioning.</p> <p>No student shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the child's welfare, such as inadequate housing, furnishings, income, clothing, and medical care.</p> <p>Direct Contact with Students - the possibility of care, supervision, guidance or control of students or routine interaction with students.</p> <p>Perpetrator - a person who has committed child abuse and is a parent/guardian of a student, a person responsible for the welfare of a student, an individual residing in the same home as a student, or a paramour of a student's parent/guardian. The term does not include a person who is employed by or provides services or programs in district schools.</p> <p>School Employee - an individual employed by the school district; an independent contractor; and an employee of an independent contractor. The term excludes an individual who has no direct contact with students.</p> <p>Serious Bodily Injury - bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of function of any bodily member or organ.</p> <p>Serious Mental Injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:</p> <ol style="list-style-type: none"> 1. Renders a student chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or 2. Seriously interferes with a student's ability to accomplish age-appropriate developmental and social tasks. <p>Serious Physical Injury - an injury that causes a student severe pain, or significantly impairs a student's physical functioning, either temporarily or permanently.</p>
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<p>23 Pa. C.S.A. Sec. 6303</p>	<p>Sexual Abuse or Exploitation - includes any of the following: the employment, use, persuasion, inducement, enticement, or coercion of a child or student to engage in or assist another individual to engage in any sexually explicit conduct or simulation of sexually explicit conduct for the purpose of producing visual depiction, including photographing, videotaping, computer depicting and filming of any sexually explicit conduct; or any of the following offenses committed against a child or student: rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, sexual abuse or sexual exploitation.</p>
<p>SC 1205.6</p>	<p>Sexual Misconduct - any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child or student that is designed to establish a romantic or sexual relationship with the child or student. Such acts include but are not limited to:</p> <ol style="list-style-type: none"> 1. Sexual or romantic invitation. 2. Dating or soliciting dates. 3. Engaging in sexualized or romantic dialogue. 4. Making sexually suggestive comments. 5. Self-disclosure or physical disclosure of a sexual or erotic nature. 6. Any sexual, indecent, romantic or erotic contact with a child or student.
<p>23 Pa. C.S.A. Sec. 6303</p>	<p>Student - an individual enrolled in a district school regardless of age and includes minor students and adult students.</p>
<p>3. Delegation of Responsibility</p>	<p>In accordance with Board policy and applicable law, the Superintendent shall:</p>
<p>Pol. 302, 304, 305, 306</p>	<ol style="list-style-type: none"> 1. Require each applicant for employment to submit an official child abuse clearance statement issued within the preceding year, except for those exempted by applicable law.
<p>Pol. 309</p>	<ol style="list-style-type: none"> 2. Require each applicant for transfer or reassignment to submit an official child abuse clearance statement unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee of this district and the applicant has already obtained an official child abuse clearance statement.

<p>4. Guidelines</p> <p>SC 1205.6 Pol. 333, 818</p> <p>24 P.S. Sec. 2070.1a et seq</p> <p>SC 1205.6</p> <p>23 Pa. C.S.A. Sec. 6311, 6313</p>	<p>The Superintendent shall annually inform students, parents/guardians and staff regarding the contents of this Board policy. District staff shall annually receive notice of their responsibility for reporting child abuse and student abuse in accordance with Board policy and administrative regulations.</p> <p><u>Training</u></p> <p>The school district, and independent contractors of the school district, shall provide their employees who have direct contact with students with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:</p> <ol style="list-style-type: none"> 1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct. 2. Provisions of the Professional Educator Discipline Act, including mandatory reporting requirements. 3. District policy related to reporting of suspected abuse and sexual misconduct. 4. Maintenance of professional and appropriate relationships with students. 5. The differences in reporting responsibilities for abuse of minors and the abuse or other wrongdoing addressed in this policy with regard to adults. <p>School Employees are required to complete a minimum of three (3) hours of training every five (5) years.</p> <p style="text-align: center;">ABUSE BY PARENTS/GUARDIANS AND OTHER NON-DISTRICT PERPETRATORS</p> <p><u>Duty to Report</u></p> <p>School Employees, who in the course of employment come into contact with students, shall report or cause a report to be made when they have reasonable cause to suspect, on the basis of medical, professional, or other training and experience, that a child or student under the care, supervision, guidance or training of district employees is a victim of child abuse, including Child Abuse by an individual who is not a Perpetrator.</p>
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<p>23 Pa. C.S.A. Sec. 6311 42 Pa. C.S.A. Sec. 5945</p>	<p>Except as stated in law, privileged communication between any professional person required to report and the patient or client of that person shall not apply to situations involving Child Abuse and shall not constitute grounds for failure to report.</p>
<p>23 Pa. C.S.A. Sec. 6311</p>	<p>School Employees, independent contractors and employees of independent contractors required to report suspected child abuse shall include but are not limited to a school administrator, school teacher, and/or school nurse.</p>
<p>23 Pa. C.S.A. Sec. 6318</p>	<p>Any person required to report child abuse who, in good faith, reports or causes the report to be made shall have immunity from civil and criminal liability related to those actions.</p>
<p>18 Pa. C.S.A. Sec. 4304</p>	<p>A School Employee required to report suspected Child Abuse who, acting in an official capacity, prevents or interferes with the making of a report of suspected child abuse commits a misdemeanor of the first degree.</p>
<p>23 Pa. C.S.A. Sec. 6319</p>	<p>A School Employee or official required to report suspected child abuse or make a referral to the appropriate authorities who willfully fails to do so commits a misdemeanor of the third degree for the first violation and a misdemeanor of the second degree for a second or subsequent violation.</p>
<p>23 Pa. C.S.A. Sec. 6313</p>	<p><u>Reporting Procedures</u></p> <p>School Employees who suspect Child Abuse shall immediately notify the school principal, who will then notify the Superintendent and the Director of Human Resources. Upon receipt of such a report, the principal shall report the suspected Child Abuse to his or her Supervisor, and provide a copy of the report to the Superintendent and to the Director of Human Resources.</p> <p>Reports of Child Abuse with regard to children or students who are under the age of eighteen years of age shall immediately be made by telephone to the Childline Abuse Registry and in writing to the county Children and Youth Agency within forty-eight (48) hours after the oral report, and in any other manner that may be required by applicable law.</p>
<p>23 Pa. C.S.A. Sec. 6346</p>	<p><u>Investigation</u></p> <p>School officials shall cooperate with Bucks County Children and Youth as the report of suspected child abuse is investigated, including permitting authorized personnel to interview the child while in attendance at school.</p>

<p>23 Pa. C.S.A. Sec. 6314</p>	<p>The school official required to report cases of suspected child abuse may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child.</p>
<p>CHILD ABUSE BY A SCHOOL EMPLOYEE, INDEPENDENT CONTRACTOR OR EMPLOYEE OF INDEPENDENT CONTRACTOR</p>	
<p><u>Duty to Report</u></p>	
<p>23 Pa. C.S.A. Sec. 6352</p>	<p>A School Employee shall immediately contact the principal, the Superintendent and the Director of Human Resources and Public Relations when the School Employee has reasonable cause to suspect, on the basis of his/her professional or other training and experience, that a student coming before the School Employee in the employee's professional or official capacity is a victim of Abuse by a School Employee.</p>
<p>23 Pa. C.S.A. Sec. 6353</p>	<p>The principal who receives a report from any source or who has independent cause to suspect injury or abuse shall immediately report to his or her Supervisor, the Superintendent and the Director of Human Resources and Public Relations. The principal shall exercise no discretion but has an absolute duty to report when receiving notice from any source.</p>
<p>23 Pa. C.S.A. Sec. 6352, 6353</p>	<p>A School Employee or principal who refers a student abuse report shall be immune from civil and criminal liability arising out of the report.</p>
<p>23 Pa. C.S.A. Sec. 6352</p>	<p>A School Employee who willfully fails to report suspected student abuse or who willfully violates the confidentiality of such a report commits a summary offense.</p>
<p>23 Pa. C.S.A. Sec. 6353</p>	<p>An administrator who willfully fails to report as required by applicable law commits a crime as defined in applicable law.</p>
<p><u>Reporting Procedures</u></p>	
<p>23 Pa. C.S.A. Sec. 6353</p>	<p>The report shall contain such information as required by applicable law to the extent known by the appropriate administrator.</p>
<p>23 Pa. C.S.A. Sec. 6352</p>	<p>The School Employee making a report of Abuse by another employee shall not reveal the existence or content of the report to any person other than those to whom reporting is required under this policy or as may be required by applicable law or as part of the School District's investigation.</p>

