

## Child Abuse and Neglect Policy

### SCHOOL PROTOCOL FOR REPORTING ALLEGATIONS OF CHILD ABUSE IN OHIO:

Ohio Revised Code Sections 2151.011, et seq.; 2921.14; 2151.421

As approved by the School's Board of Director's:

#### **A. Purpose of Policy:**

- 1) To inform all employees of the School's requirement to report suspected child abuse (including sexual abuse) or neglect and to inform employees of their immunity from civil liability or criminal penalty for reporting.
- 2) To establish procedures to be used by all employees of the School in making oral and written reports to the appropriate authorities of suspected cases of child abuse or neglect.
- 3) To protect children from abuse and neglect.

**B. Definitions:** Under this Policy, the abuse and neglect of a child (i.e., any individual under the age of eighteen (18) years) is defined as follows:

- 1) Physical injury not necessarily visible of a child under circumstances that indicate that a child's health or welfare is harmed or at substantial risk of being harmed;
- 2) The observable, identifiable, and substantial impairment of a child's mental or psychological ability to function;
- 3) The failure to provide proper care and attention to a child, including leaving a child unattended, under circumstances that indicate that the child's health or welfare is harmed or placed at substantial risk of harm;
- 4) Any act that involves sexual molestation or exploitation of a child (i.e., any sexual contact or conduct with a child) regardless of whether the child has physical injuries;
- 5) Any Victim of sexual activity offense constituting abuse or exhibits evidence of physical or mental injury inflicted other than by accidental means, or threats or harm to child's health and welfare, or is an endangered child as defined under Ohio Revised Code 2919.22.

### **C. Mandatory Reporting Required By:**

1) Attorney, physician, nurse, other health care professional, dentist, coroner, day care worker, school teacher/employer, social worker, professional counselor, speech pathologist, child services agency employee, person rendering spiritual treatment through prayer, psychologist, day camp employee. See ORC: 2151.421 (A)(1) (b);

2) The Board of Directors of School specifically requires any employee of this School who has reason to believe that a child has been subjected to abuse (including sexual abuse) or neglect (the "Reporter") by any parent, guardian, adoptive parent or other person who has permanent or temporary care or custody or responsibility for the supervision of such child (including, without limitation, school employees), or any household or family member of such child, shall make a report as directed below. An employee must act on the basis of any information and belief.

### **D. What Must be Reported:**

1) Persons described under the Ohio Revised Code 2151.421 (A) (1) (b) must immediately report any knowledge or reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired child under twenty-one years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child.

2) The Reporter must immediately notify and give all information required below to the Principal /Administrator of the School (the "Administrator") or, if the Administrator of the School is unavailable, his or her de- signee (the "Designee"). The School will not choose to have more than one designee. If Administrator and the Designee are not immediately available but will be available later during that same school day, the Re- porter shall wait to make the report required above to the Administrator or the Designee as soon as they are available.

### **E. To Whom Reported:**

The Public Children's Services Agency or municipal or county peace officer in county where child resides. After notifying the Administrator or Designee, the Reporter, along with the Administrator or the Designee, must make an oral report (by telephone or direct communication) as soon as possible to the local Department of Social Services or the local law enforcement agency. Contact information is as follows:

The Ohio Department of Job and Family Services has launched 855-O-H-CHILD (855-642-4453), an auto-

mated telephone directory that will link callers directly to a child welfare or law enforcement office in their county.

**F. Contents of Written Report:** As far as is reasonably possible, an oral or written report made under this Policy shall include the following information:

1) The names and addresses of the child and the child's parents or the person or persons having custody of the child, if known;

(2) The child's age and the nature and extent of the child's injuries, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to exist, including any evidence of previous injuries, abuse, or neglect;

(3) Any other information that might be helpful in establishing the cause of the injury, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to exist.

4) Any person, who is required by division (A) of this section to report child abuse or child neglect that is known or reasonably suspected or believed to have occurred, may take or cause to be taken color photographs of areas of trauma visible on a child and, if medically indicated, cause to be performed radiological examinations of the child. See ORC: 2151.421 (C).

**G. Immunity:** Any person who in good faith makes or participates in making a report of abuse or neglect or participates in an investigation or a resulting judicial proceeding is immune by state law from any civil liability or criminal penalty that would otherwise result from making or participating in a report of abuse or neglect or participating in an investigation or a resulting judicial proceeding.

**H. Penalty for Failure to Report or False Reporting:** A person who knowingly makes or causes another person to make a false report under division (B) of this section that alleges that any person has committed an act or omission that resulted in a child being an abused child or a neglected child is guilty of a violation of section 2921.14 of the Ohio Revised Code.

Legal Sources: ORC 2151.421, 5120.173, 4731.15, 3107, 5103

