

REPORTING CHILD ABUSE / CHILD PROTECTION

Any school personnel or any other person having responsibility for the care or treatment of a minor and children, whose observation or examination of any minor discloses reasonable grounds to believe who reasonably believes that a minor is or has been the victim of physical injury, abuse, ~~sexual abuse pursuant to A.R.S. 13-1404, sexual conduct with a minor pursuant to A.R.S. 13-1405, sexual assault pursuant to A.R.S. 13-1406, molestation of a child pursuant to A.R.S. 13-1410, commercial sexual exploitation of a minor pursuant to A.R.S. 13-3552, sexual exploitation of a minor pursuant to A.R.S. 13-3553, incest pursuant to A.R.S. 13-3608 or child prostitution pursuant to A.R.S. 13-3212, death, abuse pursuant to A.R.S. 8-201, or physical~~ child abuse, a reportable offense or neglect that appears to have been inflicted upon ~~such~~ the minor by other than accidental means or ~~which~~ that is not explained by the available medical history as being accidental in nature or who ~~has reasonable grounds to believe~~ reasonably believes there has been a denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant who is protected under A.R.S. 36-2281 shall immediately report or cause reports to be made of such information to a peace officer or to the Child Protective Services (CPS) of the Department of Economic Security, except if the report concerns a person who does not have care, custody, or control of the minor, the report shall be made to a peace officer only. Such reports shall be made ~~forthwith~~ immediately by telephone or in person or by electronic means. Verbal reports and shall be followed by a written report ~~within seventy two (72) hours.~~ Pursuant to A.R.S. 13-3620, such reports shall contain, if known:

- The names and addresses of the minor, the parents, or the person or persons having custody of such minor, ~~if known.~~
- The minor's age and the nature and extent of any the minor's abuse, child abuse, or physical injuries or ~~physical~~ neglect, including any evidence of previous ~~injuries or~~ abuse, child abuse, physical injury or neglect.
- Any other information that such person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury or ~~physical~~ neglect.

A person ~~furnishing~~ who furnishes a report, information, or records required or authorized under Arizona Revised Statutes or a person ~~participating~~ who participates in a judicial or administrative proceeding or investigation resulting from a report, information or records required or authorized under Arizona Revised Statutes ~~shall be is~~ immune from any civil or criminal liability by reason of ~~such~~ that action unless such person has acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.

A report is not required under A.R.S. 13-3620 for conduct prescribed by A.R.S. 13-1404 and 13-1405 if the conduct involves only minors who are fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and there is nothing to indicate that the conduct is other than consensual.

A report is not required if a minor is of elementary school age, the physical injury occurs accidentally in the course of typical playground activity during a school day, occurs on the premises of the school that the minor attends and is reported to the legal parent or guardian of the minor and the school maintains a written record of the incident. The school will maintain a written record of the physical injury as part of the student's health file as required by Arizona State Library, Archives and Public Records (ASLAPR).

A person who fails to report abuse as provided in A.R.S. 13-3620 is guilty of a class 1 misdemeanor. ~~If, except if the failure to report involves abuse which is listed "a reportable offense,"~~the person is guilty of a class 6 felony.

Any certificated person or Governing Board member who ~~has~~ reasonably suspects or receives a reasonable ~~grounds to believe~~ allegation that a person certificated by the Department of Education has engaged in conduct involving minors that would be subject to the reporting requirements of A.R.S. 13-3620 shall report or cause reports to be made to the Department of Education in writing as soon as is reasonably practicable but not later than three (3) business days after the person first suspects or receives an allegation of the conduct.

Any school employee who has orally reported to CPS or a peace officer a reasonable belief of an offense to a minor must provide written notification to the principal of the oral report not later than the next workday following the making of the report.

Adopted: date of Manual adoption
LEGAL REF.: A.R.S. 8-201
~~8-546~~
13-1404 *et seq.*
13-1410
13-3019
13-3212
13-3506
13-3506.01
13-3552
13-3553
13-3608
13-3619
13-3620
13-3623
15-514
46-451
46-454

CROSS REF.:

GBEB - Staff Conduct

GBEBB - Staff Conduct With Students

[JKA – Corporal Punishment](#)

**REPORTING CHILD ABUSE / CHILD PROTECTION
(PROCEDURE FOR REPORTING)**

~~A report of child abuse, neglect, or exploitation must be made by any person whose observation or examination of a child discloses, in that person's mind, reasonable grounds to believe that:~~

- ~~• The child has been the victim of injury, sexual molestation, sexual exploitation, incest, child prostitution, death, abuse, or physical neglect that appears to have been inflicted upon the minor by other than accidental means or that is not explainable by available medical history as being accidental in nature. Where the requirements set forth in the statute have been satisfied, a telephone call report shall be made to Child Protective Services, and a follow-up written report shall be made, confirming the observation and/or examination and describing in detail the reasons why there is a belief that abuse, neglect, etc., has occurred.~~
- ~~• There has been a denial or deprivation of necessary medical treatment or surgical care. Such report *must be made*, even if the school nurse and/or others conclude, in their own minds, that there are not reasonable grounds for such belief.~~

~~It is solely the responsibility of the person whose observation or examination leads to a reasonable belief that a child has been or is being subjected to abuse, neglect or exploitation in violation of state law to make the required report. Any such person who fails to do so is in violation of this regulation and state law. A person furnishing a report, information, or records required or authorized pursuant to state law, or a person participating in a judicial or administrative proceeding or investigation resulting from a report, information, or records required or authorized pursuant to state law shall be immune from any civil or criminal liability by reason of such action, unless such person acted with malice or unless such person has been charged with or is suspected of abusing, neglecting, or exploiting the child or children in question.~~

~~Such reports shall be made forthwith by telephone or in person and shall be followed by a written report within seventy-two (72) hours. Such reports shall contain:~~

- ~~• The names and addresses of the minor and the parents or person or persons having custody of such minor, if known.~~
- ~~• The minor's age and the nature and extent of injuries, physical neglect, or exploitation, including any evidence of previous injuries, physical neglect, or exploitation.~~

- ~~Any other information that such person believes might be helpful in establishing the cause of the injury, physical neglect, or exploitation.~~
- ~~Any person who violates the reporting requirements set forth herein may be guilty of a Class 1 misdemeanor.~~

Pregnancy

~~The pregnancy of a minor child may be, but is not necessarily, evidence of sexual conduct with a minor that must be reported in accordance with this regulation and state law. Accordingly, District personnel who become aware of the pregnancy of a minor shall consider their knowledge of the facts, circumstances, and observations concerning such minor and shall determine on a case-by-case basis whether there are reasonable grounds to believe that such minor has been abused, neglected, or exploited in violation of state law. If District personnel cannot establish that the pregnancy of a minor is the result of consensual sexual conduct between two persons between the ages of fourteen (14) and seventeen (17), they shall file a report as required by this regulation and state law.~~

Child Abuse Team

~~Each school shall set up a child abuse team consisting of:~~

- ~~A school nurse or designee.~~
- ~~A school principal or designee.~~
- ~~An involved school employee.~~
- ~~A counselor (in middle and high schools).~~

~~This team shall convene whenever there are reasonable grounds to believe that child abuse or child neglect has occurred. In addition to, and not in lieu of, the report that must be filed by the individual whose observation and/or examination has led to the reasonable belief that a child has been subjected to abuse, neglect, and/or exploitation in violation of state law, the child abuse or neglect procedures outlined below will be followed. In addition to its regular function, the child abuse team shall provide a yearly in-service training program to all staff members on child abuse and neglect, and how to report suspected cases.~~

~~Teachers and other school employees who have reason to believe that a student has been abused or neglected, or is in imminent danger thereof, shall, in addition to, and not in lieu of, the procedure described above, follow the procedure outlined as follows:~~

- ~~Refer the child to the school nurse or the principal or designee.~~

- ~~• The nurse or principal or designee examines the child in case of suspected physical abuse.~~
- ~~• The nurse documents the examination (may use body diagram).~~
- ~~• The nurse confers with the principal and the child abuse team.~~
- ~~• The nurse informs the school psychologist of the findings.~~

Sexual Abuse

In cases of suspected sexual abuse, Child Protective Services is notified; thereafter:

- ~~• The nurse or the principal or designee follows the direction of the Child Protective Services worker.~~
- ~~• The nurse or the principal or designee will be available when the Child Protective Services worker questions the child.~~
- ~~• The nurse or the principal does follow-up.~~

Child Abuse and Neglect - Confidentiality

~~All information received from any source by school administrators or other school personnel and by Child Protective Service workers during the investigation and reporting of alleged child abuse, abandonment, dependency, or exploitation shall be kept confidential. In maintaining such confidentiality, Child Protective Services workers are permitted to exclude school administrators or other school personnel from conferences with a student relating to their investigation. The law does not require such exclusion, but it gives Child Protective Services workers the authority to insist on such exclusion, if they deem it necessary.~~

~~Adopted: date of manual adoption~~

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~~REPORTING CHILD ABUSE / CHILD PROTECTION~~

Abuse means the infliction or allowing of physical injury, impairment of bodily function, or disfigurement, or the infliction of or allowing another person to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal, or untoward aggressive behavior, and which emotional damage is diagnosed by a medical doctor or psychologist pursuant to A.R.S. 8-223, [821](#), and which is caused by the acts or omissions of an individual having care, custody, and control of a child. *Abuse* shall include inflicting or allowing sexual abuse pursuant to A.R.S. 13-1404, sexual conduct with a minor pursuant to A.R.S. 13-1405, sexual assault pursuant to A.R.S. 13-1406,

molestation of a child pursuant to A.R.S. 13-1410, commercial sexual exploitation of a minor pursuant to A.R.S. 13-3552, sexual exploitation of a minor pursuant to A.R.S. 13-3553, incest pursuant to A.R.S. 13-3608, or child prostitution pursuant to A.R.S. 13-3212.

Child, youth, or juvenile means an individual who is under the age of eighteen (18) years.

~~Adopted: date of manual adoption~~

Abuses classified by statute as "reportable offenses" are:

- Indecent exposure [A.R.S. 13-1402]
- Public sexual indecency to a minor [A.R.S. 13-1403]
- Sexual abuse [A.R.S. 13-1404]
- Sexual conduct with a minor [A.R.S. 13-1405]
- Sexual assault [A.R.S. 13-1406]
- Molestation of a child [A.R.S. 13-1410]
- Furnishing items that are harmful to a minor via the internet [A.R.S. 13-3506.01]
- Surreptitious photographing, videotaping, filming, or digitally recording or viewing of a minor [A.R.S. 13-3019]
- Incest [A.R.S. 13-3608]
- Child prostitution [A.R.S. 13-3212]
- Commercial sexual exploitation of a minor [A.R.S. 13-3552]
- Sexual exploitation of a minor (concerning visual depiction of a minor engaged in exploitive exhibition or other sexual conduct) [A.R.S. 13-3553]
- Luring a minor for sexual exploitation [A.R.S. 13-3554]
- Admitting a minor to public displays of sexual conduct [A.R.S. 13-3558]

EXHIBIT EXHIBIT

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REPORTING CHILD ABUSE / CHILD PROTECTION

(SUSPECTED ABUSE/, PHYSICAL INJURY, CHILD ABUSE, REPORTABLE OFFENSE OR NEGLECT)

To: Child Protective Services, D.E.S. (or **other** law enforcement agency)

Student's Name _____ Birth date _____ Sex _____

Address _____

Names of parents/guardians _____

E-mail address _____

School _____ Grade _____ Teacher _____

Description of **injury** suspected present or prior abuse, child abuse, physical injury, or neglect (use ~~reverse side of form~~ additional page if necessary)

Symbols:

- A = Abrasion
- Bl = Blister
- Bu = Burn
- Br = Bruise
- La = Laceration
- Le = Lesions
- S = Scar
- R = Rash
- V = Vermin
- O = Other (describe)

Severity:

- (1) = Mild
- (2) = Moderate
- (3) = Severe

Signature and Title of Person Making the Report _____ Date _____

Referral source Oral Report to: Name _____

Address Agency _____ Position _____

Symbols:

A = Abrasion

Bl = Blister

Bu = Burn

Br = Bruise

La = Laceration

Le = Lesions

S = Scar

R = Rash

V = Vermin

O = Other (describe)

Severity:

(1) = Mild

(2) = Moderate

(3) = Severe

Signature and Title of Person Making the Report _____ Date

To whom reported _____ Date of oral report

Date _____ Time _____

Written report to _____ Date _____

copy Copy filed in school nurse's office ~~Adopted: date of manual adoption~~