

Program to Address
Child Sexual Abuse,
Trafficking, and
Maltreatment
Board Adoption

The District's program to address ~~In compliance with Education Code 38.004(a), the Board adopts the child sexual abuse, trafficking, and other maltreatment of children, as included in the District improvement plan and the student handbook, shall include and neglect policy developed by the commissioner of education. [See FFG(LEGAL) and (EXHIBIT)]~~

Staff Training

~~The Board directs the Superintendent to ensure that staff development training addresses all aspects of the rules, including:~~

- ~~1. Methods Legal penalties for increasing staff, student, and parent awareness regarding these issues, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim;~~
- ~~2. Age-appropriate, research-based antivictimization programs for students;~~
- ~~3. Actions that a child who is a victim should take failure to obtain assistance and intervention; and~~
- ~~4. Available counseling options for affected students.~~

Training

~~The District shall provide training to employees as required by law. Training shall address techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children, including children comply with significant cognitive disabilities. [See DMA]~~

- ~~1. [See BBD for Board member training reporting requirements and BJC for Superintendent continuing education requirements.] disciplinary action for violation of policy;~~
- ~~2. Prohibitions against interference with investigations [see GRA];~~
- ~~3. Immunity from liability for good faith reporting or assisting in an official investigation [see DH]; and~~
- ~~4. Confidentiality requirements [see DH].~~

Reports
Reporting
Child Abuse and
Neglect

~~Any person who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a legal responsibility, under state law, to immediately report the suspected abuse or neglect to an appropriate authority.~~

~~As defined in state law, child abuse and neglect include both sex and labor trafficking of a child.~~

~~The following individuals have an additional legal obligation to submit a written or oral report within 48 hours of learning of the facts giving rise to the suspicion of abuse or neglect:~~

5. Any District employee, agent, or contractor who suspects a child's physical or mental health or welfare has been adversely affected by abuse or neglect.
6. A professional who has cause to believe that a child has been or may be abused or neglected or may have been a victim of indecency with a child. A professional is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

A person is required to make a report if the person has cause to believe that an adult was a victim of abuse or neglect as a child and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

Reports shall be made to the Child Protective Services division of the Texas Department of Protective and Regulatory Services (24-hour hotline: 1-800-252-5400) or to a local CPS or law enforcement agency, as appropriate. [See FFG(EXHIBIT)]

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

Restrictions on Reporting

In accordance with law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

1. Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
2. Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

Making a Report

Reports may be made to any of the following:

1. A state or local law enforcement agency;
2. The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS) at (800) 252-5400 or the Texas Abuse Hotline Website;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

	<p><u>However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.</u></p>
	<p><u>An individual does not fulfill his or her responsibilities under the law by only reporting suspicion of abuse or neglect to a campus principal, school counselor, or another District staff member. Furthermore, the District is prohibited from requiring an employee to first report his or her suspicion to a District or campus administrator.</u></p>
<p><u>Confidentiality</u></p>	<p><u>In accordance with state law, the identity of a person making a report of suspected child abuse or neglect shall be kept confidential and disclosed only in accordance with the rules of the investigating agency.</u></p>
<p><u>Immunity</u></p>	<p><u>A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.</u></p>
<p><u>Failing to Report Suspected Child Abuse or Neglect</u></p>	<p><u>By failing to report suspicion of child abuse or neglect, an employee:</u></p> <ol style="list-style-type: none"><u>1. May be placing a child at risk of continued abuse or neglect;</u><u>2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report;</u><u>3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment; and</u><u>4. May have his or her certification from the State Board for Educator Certification suspended, revoked, or canceled in accordance with 19 Administrative Code Chapter 249.</u> <p><u>It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.</u></p>
<p><u>Responsibilities Regarding Investigations</u></p>	<p><u>In accordance with law, District officials shall be prohibited from:</u></p> <ol style="list-style-type: none"><u>1. Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect;</u><u>2. Requiring that a parent or school employee be present during the interview; or</u>

3. Coercing someone into suppressing or failing to report child abuse or neglect.

District personnel shall cooperate fully and without parental consent, if necessary, with an investigation of reported child abuse or neglect. [See GKA]

¹ Texas Abuse Hotline Website: <http://www.txabusehotline.org>