

CHILD ABUSE AND NEGLECT POLICY

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PERFORMANCE OBJECTIVE: Relates to CFR# 1301.31

Definition:

Child Abuse: “Any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child’s care, custody and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse”.

Neglect: “Failure to provide, by those responsible for the care, custody, and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any other care necessary for the child’s well-being”.

‘Child’ means any person under the age of 18. Persons who are responsible for the child’s health or welfare include the child’s parent, guardian, or others responsible for the child’s health or welfare.

HARM:

Non-accidental physical injury – fractures, bruises, shaking, burns, internal injuries ***Non-accidental metal injury*** - penalizing a child for positive, normal behavior, by using threats, belittling, terrorizing, frequent negative criticism

Sexual abuse – sexual activity occurring between a child and an adult, or between children (when the activity is not part of normal childhood development).

Neglectful treatment or maltreatment is failure to provide adequate food, clothing, shelter, medial or dental care, or supervision. Practicing religious beliefs that go against a court order protecting a child’s medical needs.

MANDATED REPORTERS:

All Head Start/Early Head Start employees are mandated reporters of suspected child abuse and neglect. Mandated reporters are required by law to report suspicions of child abuse and neglect to those agencies designated by the state to investigate such reports. Please keep in mind that you are not the investigator. You do not need to determine IF the abuse/neglect occurred, or by whom, but only that you suspect that it occurred. A supervisor or other management staff cannot impede or inhibit the reporting of suspected child abuse or neglect. You cannot be subject to any sanction, including any adverse employment action for making a report. Head Start/Early Head Start must ensure that you have immediate and unrestricted access to communication technology necessary to make an immediate report and ensure you are temporarily relieved of other work duties for the time that is required to make the required report.

PROTECTION FOR THOSE WHO REPORT SUSPECIONS OF CHILD ABUSE AND NEGLECT:

The state of Missouri, as well as other states, provides immunity from civil and criminal

liability for good faith voluntary reporting. However, mandated reporters who fail to report when they have reasonable cause to suspect child abuse and/or neglect, as well as filing a false report are considered Class A misdemeanors.

PROCEDURES FOR REPORTING IN MISSOURI:

Head Start/Early Head Start agencies must report to the State or local agencies designated by the State under applicable State or local Child Abuse and Neglect reporting law.

Presently, the state of Missouri required that all calls of suspected child abuse and neglect are directed to the Missouri Division of Family Services, located in Jefferson City, Missouri. From this location, the intake worker will notify the local office in the jurisdiction in which the child resides. An employee from the local Division of Family Services will then follow up on the report. Investigations and family assessments are completed in 45 days.

TOLL FREE NUMBER FOR REPORTING SUSPECTED CHILD ABUSE AND NEGLECT: 1-800-392-3738

PROCEDURES FOR REPORTING SUSPECTED CHILD ABUSE AND/OR NEGLECT WITHIN THE HEAD START/EARLY HEAD START AGENCIES:

- a. All reports regarding child abuse and/or neglect should be completed by the person who first detected or witnessed the abuse/neglect. They may seek help in a confidential manner from their supervisor or the contracted Mental Health Coordinator when appropriate.
- b. Complete the Head Start/Early Head Start Suspected Child Abuse/Neglect Report prior to making the hotline call. When making the call, have the form in front of you so you may answer questions the investigator may ask you.
- c. It is not possible to make a hotline report without giving your name and position when you are a mandated reporter. Be prepared to accept the fact that people are often familiar with who has contact with their children and may be able to deduce who made the report.
- d. If you wish to receive a call back from the Division of Family Services regarding the investigation, as a Mandated Reporter you may request this from the agency.
- e. You may be contacted by an investigator from the Division of Family Services in order to gain additional information regarding a hotline call.
- f. All reports regarding child abuse and/or neglect should be reported to the person's Area Supervisor or direct supervisor if the employee does not have an Area Supervisor and the HS or EHS Mental Health and Wellness Coordinator.
- g. The completed Suspected Child Abuse/Neglect Report form should be attached in Child Plus in the Mental Health tab by the Family Resource Specialist, Family Advocate, or Home Visitor. All follow up documentation should be written on the Mental Health & Wellness Concerns form and attached in the Mental Health tab as well.

INSPECTION OF CHILD'S COMPLAINT:

Although Head Start/Early Head Start staff are not investigators of abuse/neglect, there will be times staff will need to ask the child more questions, look at the area of pain/complaint, and talk with family members. The Division of Family Services Intake Workers agree that Head Start/Early Head Start staff will engage in some of the above stated actions in order to

provide them with information they need to investigate an allegation.

Head Start/Early Head Start staff may inspect an area of a child's body in relation to a report of abuse and neglect. Example: A child reports to his/her teacher, "my daddy hit me in the back last night". The teacher may ask the child if she/he can look at his/her back and if the child agrees, the teacher will take the child aside, along with another staff member to witness, and will look at the child's back.

Staff will not inspect areas of a child's body that are considered 'private parts', such as the vagina, penis, scrotum or buttocks. Example: The child reports to her teacher, "My pee-pee hurts. My daddy pushed on it last night". The teacher will not inspect the child's vagina. The teacher will call the parent, or if the parent is unavailable at that time, the teacher will speak with the parent later in the day, to report what the child has said. The teacher may choose to ask the parent to obtain a doctor's note regarding the child's complaint. In addition, based on what the parent tells the teacher, the teacher may choose to make a hotline call, or she/he may be satisfied that the incident is most likely not reportable to the Division of Family Services.

RESPONSIBILITIES OF HEAD START/EARLY HEAD START PROGRAMS:

Head Start/Early Head Start programs will not undertake, on their own, treatment of cases of child abuse and neglect. Full cooperation with child protective services agencies in the community is encouraged. In addition, HS/EHS programs will make every effort to retain children in their program that have been involved in alleged cases of child abuse and neglect.

CONFIDENTIALITY ISSUES:

Head Start/Early Head Start programs will preserve the confidentiality of all records pertaining to child abuse and neglect. It is the staff's option to discuss the information for the hotline call with the adult(s) identified in the report. Staff will fully cooperate with authorities investigating the alleged child abuse/neglect case; however, any other requests for information regarding the alleged incident will only be released upon presentation of a subpoena.

TRAINING OF HEAD START/EARLY HEAD START STAFF REGARDING CHILD ABUSE/NEGLECT:

Head Start/Early Head Start employees will be provided child abuse and neglect training through the orientation program titles, 'Head Start 101'. The training will include ways to foster a helpful rather than punitive attitude toward abusing or neglecting parents and other caregivers. In addition, Head Start/Early Head Start employees will attend an annual child abuse/neglect workshop, in order to remain informed of state and local laws regarding abuse/neglect.