File: JLF-R

Reporting Child Abuse and Child Protection Procedures

DEFINITIONS

Child Abuse or Neglect is defined in law as "an act or omission which seriously threatens the health or welfare of a child." Specifically, this refers to:

1. Evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling or death and such condition or death which is not justifiably explained, or where the history given concerning such condition or death is at variance with the condition or the circumstances indicate that the condition may not be the product of an accidental occurrence;

2. Any case in which a child is subject to unlawful sexual behavior as defined in state law;

3. Any case in which a child is in need of services because the child's parents, legal guardians, or custodians fail to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take;

4. Any case in which a child is subjected to emotional abuse, which means an identifiable and substantial impairment of the child's intellectual or psychological functioning or development or a substantial risk or impairment of the child's intellectual or psychological functioning or development;

5 Any act or omission described as Neglect in state law as follows:

a. A parent, guardian, or legal custodian has abandoned the child or has subjected him or her to mistreatment or abuse or allowed another to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring;

b. The child lacks proper parental care through the actions or omissions of the parent, guardian or legal custodian;

c. The child's environment is injurious to his or her welfare;

id. A parent, guardian, or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care or any other care necessary for his or her health, guidance or well-being;

e. The child is homeless, without proper care or not domiciled with his or her parent, guardian, or legal custodian through no fault of such parent, guardian or legal custodian;

f. The child has run away from home, or is otherwise beyond the control of his or her parent, guardian, or legal custodian;

g. A parent, guardian, or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse and the parent, guardian, or legal custodian has been the respondent in another proceeding in which a court has adjudicated another child to be neglected or dependent based upon allegations of sexual or physical abuse or has determined that such parent's, guardian's, or legal custodian's abuse or neglect caused the death of another child; and the pattern of habitual abuse and the type of abuse pose a current threat to the child.

REPORTING REQUIREMENTS

Any District Employee who has reasonable cause to know or suspect that any child is subjected to abuse, neglect, unlawful sexual contact, or who has observed any child being subjected to conditions that might result in abuse or neglect, as defined by state law, must report or cause a report to be made as soon as reasonably possible, but no later than twenty-four hours after receiving the information. The report should be made to the appropriate county department of social services, local law enforcement agency or through the statewide child abuse reporting hotline system. The Employee must follow any oral report with a written report sent to the appropriate agency. The obligation to report suspected abuse or neglect only applies to incidents of abuse or neglect that an individual learns about while acting in their official capacity.

No report of abuse or neglect will be made due to a family or child's race, ethnicity, socio-economic status, or disability status. Additionally, no report is required if the basis for the report arises from concerns due solely to any of the following criteria:

1. Socioeconomic status, which includes factors such as inadequate housing, furnishings, income, clothing; or

2. Disability.

In cases where the suspected or known perpetrator is a School Employee, the report should be made to the law enforcement agency. *(Reports made to social services will be referred to law enforcement.)*

If a child is in immediate danger, the Employee should call 911. Immediate refers to abuse that occurs in the Employee's presence or has just occurred.

The Employee reporting suspected abuse/neglect to social services or law enforcement officials must inform the School Principal as soon as possible orally or with a written memo. The ultimate responsibility for seeing that the oral and written reports are made to social services or law enforcement agencies lies with the School Official or Employee who had the original concern.

CONTENTS OF THE REPORT

The following information should be included to the extent possible in the initial report:

1. Name, age, address, sex, and race of the child;

2. Name and address of the child's parents, guardians, and/or persons with whom the child lives;

3. Name and address of the person, if known, believed responsible for the suspected abuse or neglect;

4. The nature and extent of the child's injury or condition as well as any evidence of previous instances of known or suspected abuse or neglect of the child or the child's siblings-all with dates as appropriate;

5. The family composition, if known;

6. Any action taken by the person making the report;

7. Any other information that might be helpful in establishing the cause of the injuries or the condition observed.

It is helpful if the person reporting suspected abuse/neglect is prepared to give documentation. Thus, noting details of observations is important. It is permissible for the School Official or Employee to conduct a preliminary non-investigative inquiry of any injury or injuries under the following circumstances:

1. School Personnel may inquire of the child how an injury occurred. Leading and/or suggestive questions should be avoided. School Personnel may not contact the child's family or any other person suspected of causing the injury or abuse to determine the cause of the suspected abuse or neglect;

2. A School Employee's reasonable cause to suspect that the child has been subjected to abuse or neglect may arise from a child's vague or inconsistent response to such an inquiry or from an explanation which does not fit the injury;

3. All efforts must be made to avoid duplicate or numerous interviews of the victim.

AFTER FILING A REPORT

After the report is made to the agency, District and School Staff will cooperate with social services and law enforcement in the investigation of alleged abuse or neglect. The school will report any further incidents of abuse to the agency's representative.

As the case is being investigated, the school will provide supportive aid and counseling services for the child.

Once a report of child abuse is given to the agency, the responsibility for investigation and follow-up lies with the agency. It is not the responsibility of the School Staff to

investigate the case. Therefore, the School Staff will not engage in the following activities:

1. Make home visits for investigative purposes;

2. Take the child for medical treatment; *(This does not preclude taking action in an emergency situation.)*

3. Convey messages between the agency and the parents/guardian.

Authorized School and District Personnel may make available to agency personnel assigned to investigate instances of child abuse the health or other records of a student for such investigative purposes.

GUIDELINES FOR CONSIDERATION

1. If any School Employee has questions about reasonable cause of child abuse and the need for making a report, the Employee may consult with school counselor or administration. If counselor or administration is not available, a direct call to the county department of social services about concerns is advisable.

   Note that consultation with another School Official or Employee will not absolve the School Official or Employee of the responsibility for reporting child abuse.

2. In an emergency situation requiring retention of the child at the school building due to fear that if released, the child's health or welfare might be in danger, it should be observed that only law enforcement officials have the legal authority to hold a child at school. Otherwise, a court order must be obtained to legally withhold a child from his or her parent or guardian.

Adopted: September 16, 2026

LEGAL REFERENCE:

C.R.S. 18-3-412.5 (1)(b) (definition of unlawful sexual behavior)