

# **Child Abuse and Neglect Reporting Law**

## **Reporting Procedures:**

If there is suspected abuse or neglect according to the definitions below you must:

1. Fill out the reporting form.
2. Contact the Principal or President and submit the report to their office the same day the report is filed with **DSS**.
3. Report suspected abuse immediately.

## **Definition of Abuse:**

**Family Law Article, Title 5, Subtitle 7, Child Abuse and Neglect**, requires that persons, who have reason to believe that a child has been subjected to abuse or neglect, report that belief to the local department of social services and the appropriate law enforcement agency. This law pertains to employees of public, parochial, and private educational facilities.

Child abuse may consist of any of the following:

- Sexual Abuse
- Physical Abuse
- Neglect
- Mental Injury

**Sexual Abuse** involves any act which involves sexual molestation or sexual exploitation of a child by a parent or any other person who has permanent or temporary care or custody or responsibility for the supervision of a child, whether physical injuries are sustained or not. Sexual abuse includes acts of incest, rape or sexual offense in any degree, sodomy or unnatural or perverted sexual practices, lewd or indecent acts or proposals, permitting or encouraging a child to participate in acts of prostitution or pornography.

The Archdiocese of Washington Child Protection Policy (March, 2007) further elaborates that Sexual Abuse includes:

1. The intentional touching of the genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks of a child by a perpetrator for purposes of sexual arousal or gratification.
2. Rape, sexual intercourse (vaginal or anal), oral/genital, oral/anal contact.
3. The intentional touching and /or displaying of one's own genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks in the presence and view of a child for purposes of sexual arousal or gratification.
4. Permitting, causing, encouraging or assisting in the depiction of or posing for viewing by any person, either in person or by way of graphic means including digital or photographic image of the partially or fully unclothed body of a child, displaying intimate parts, in motion or not in motion, alone or with other persons, or the depiction of a child in apparent observation of sex acts by others in the child's presence.

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5. Displaying or distributing to a child any picture, photograph, book, pamphlet, or digital image, movie, or magazine the cover or content of which is principally made of descriptions or depictions of sex acts or contact, or which is principally made up of descriptions or depictions of sexual acts or contacts, or which consists of pictures of nude or partially nude figures posed or presented in a manner which the average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest.

**Physical Abuse** involves sustaining of a physical injury by a child as a result of cruel or inhumane treatment or as a result of a malicious act under circumstances which indicate that a child's health or welfare is harmed or threatened thereby.

According to the Archdiocese of Washington policy, Physical Abuse includes any act which:

1. Willfully causes or inflicts physical injury to a child or
2. Willfully causes mental injury or psychological injury to a child by intentionally engendering fear of physical injury to that child.
3. It is the policy of the Archdiocese of Washington that corporal punishment of a child is prohibited in all entities under the auspices of the Archdiocese of Washington.
4. Physical abuse does not include the appropriate physical restraint of a child who is attempting to injure another person or his/herself, or the appropriate physical direction of a child away from danger or the minimum restraint necessary to place a child in a "time out" or other appropriate limitation of movement to promote the child's regaining of safety and emotional control.

**Child Neglect** pertains to the abandonment of a child by a parent, custodian or guardian; lack of care or control in respect to subsistence, education or physical or emotional health (excluding instances of financial inability to so provide); refusal or inability to discharge parental or custodial obligations and expression of intention by parent, guardian, custodian or institution to discontinue care.

The Archdiocese's policy states that Child neglect includes:

1. Abandonment of a child by a parent, custodian or guardian.
2. Lack of care by not providing appropriate and necessary food, shelter, clothing, and education.
3. Not providing care or control in respect to physical or emotional health; the refusal or inability to discharge parental or custodial obligations; and expressions of intention by parent, guardian or institution to discontinue care.

**Mental Injury** involves the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function.