



Procedure for Reporting Child Abuse and Neglect

This Procedure implements FWCS Board Policy 5345, Child Abuse and Neglect, and is based on Indiana's Model School Protocol for Reporting Allegations of Child Abuse, developed by the Department of Child Services (DCS), the Indiana Department of Education and law enforcement. This document explains the responsibilities of school personnel and establishes a reporting procedure and methods of cooperation among agencies involved.

When an FWCS employee has "reason to believe" that a student is the victim of abuse or neglect:

1. **Ensure student safety.** Your first priority is to keep students safe. Only then should you contact DCS or local law enforcement.
2. **Immediately report to law enforcement or DCS.**
 - a. Inform your schools SRO or security personnel if available and the Director of Security (260-467-2125); or
 - b. Call the Indiana Child Abuse and Neglect Hotline at 1-800-800-5556
3. **Inform school administration.** You must report to law enforcement and may not assume that your school administration has or will do so.
4. **Complete the Child Abuse and Neglect Report Form.** Send the completed form to Health and Wellness Services. Do not keep a copy in the student's file. DCS is required by law to provide a report to the school within thirty days to explain the outcome any investigations; if you receive that form, please send it to Health and Wellness Services to file with the initial report.

Reason to believe means "evidence that, if presented to individuals of similar background and training, would cause the individuals to believe that a child was abused or neglected." I.C. 31-9-2-101.

Reporting

- When employees are unsure whether they have "reason to believe" that a child is the victim of abuse or neglect, they should make a report.
- Failure to report suspected abuse or neglect is a crime. A person who, in good faith, makes a report of suspected abuse and neglect is immune from any civil or criminal liability under Indiana law.
- The identity of the reporter is confidential by statute. DCS accepts child abuse and neglect allegations from persons who wish to remain anonymous, however DCS encourages individuals to provide contact information to Intake Specialists.
- Your reporting obligation supersedes any right of privileged communication. Employees must report all suspected child abuse even if told in confidence by the child. I.C. 25-23.6-6-1

Investigation

After an employee reports suspected child abuse or neglect, FWCS should not attempt to further investigate the situation unless instructed otherwise by DCS or law enforcement; they are responsible for the investigation, not FWCS. Their staff is trained in child forensic interviewing and may be better able to accurately assess the situation.

When law enforcement or DCS tells you that they are opening an investigation:

1. Do not investigate further.
2. After 48 hours, check the status of the external investigation.
 - a. For law enforcement investigations, contact the Director of Security.
 - b. For DCS investigations, contact the FWCS/DCS Education Liaison, Travis Stahl (317-515-7329).



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3. Talk through the disciplinary action or independent investigation you intend to pursue so that our organizations can work cooperatively to keep children safe.

Release of Student Records to Law Enforcement/DCS

When FWCS reports abuse and neglect, FWCS may release relevant education records to law enforcement or DCS. Where FWCS is not the report source, law enforcement or DCS may need a release, warrant, subpoena or other court order unless an exception to FERPA applies. Staff may always contact the FWCS General Counsel with any questions about the release of education records.

Interviewing Children

Interviewing students in the middle of a school day can disrupt a school's educational environment. However, DCS may interview students at school if a DCS employee presents:

1. appropriate credentials (i.e. DCS badge); and
2. one of the following three documents:
 - a. a written statement that DCS has parental consent;
 - b. a court order; or
 - c. a written statement that exigent circumstances exist.

The statement can be in the form of an email or handwritten document, but must be in writing.

School staff should not keep the statement in the student's file, but should send it to the Health and Wellness Department. Staff shall take measures to keep the statement and interview confidential. FWCS must allow the DCS employee to interview the student alone if the employee requests to do so. I.C. 31-33-8-7(f)

Parent Notification

Schools should not inform parents when they initiate a report or when DCS or law enforcement arrive to interview a student. DCS has the obligation of informing parents and will obtain the necessary consent to interview students or releases for education records. After DCS interviews a child or takes a child into custody, the school may notify the parent(s) or guardian(s)/custodian(s) to give them the names and telephone numbers of the law enforcement officer or DCS case manager for the family to contact.

When a Child Is Taken into Protective Custody

A child may be taken into protective custody by a law enforcement officer, a probation officer, or a DCS Field Case Manager acting with probable cause to believe the child is a child in need of services. The removing party must complete the FWCS Protective Custody Receipt. All questions should be directed to the removing party.