

Cache County School District Policy Series 5000: Personnel

Policy No. 5390

Child Abuse and Neglect

I. Purpose

- A. One of Cache County School District's primary responsibilities is to keep students safe. Utah State law requires reporting of any suspected abuse or neglect of a child. ([Rule R277-401. Child Abuse-Neglect Reporting by Education Personnel.](#))

II. Understanding

- A. Utah law requires that all school employees understand what Child Abuse is in order to report it. Prevent Child Abuse Utah™ provides this annual training and recertification through their online course. This training teaches adults who work with youth to recognize the signs, symptoms, and dynamics of child abuse including physical abuse, emotional abuse, sexual abuse, and neglect. Perpetrators, the grooming cycle, and how to report suspected abuse are also discussed. This course meets the requirements of [Utah's Child Sexual Abuse Prevention Training Law \(HB 286\)](#).

III. Reporting

- A. Utah law requires that any person, in particular a school employee, who has reason to believe that a child has been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in such, shall immediately notify the nearest peace officer, law enforcement agency, or office of the Division of Child and Family Services (DCFS).

IV. Procedures

- A. Whenever a Cache County School District employee has reason to suspect that a child may have been subjected to abuse or neglect, the employee shall make a report to a law enforcement officer or to DCFS. The DCFS Child Abuse and Reporting Line is: (435)787-3400. Failure to report suspected child abuse or neglect to law enforcement or DCFS is a class B misdemeanor and is considered unprofessional conduct for licensing and employment purposes.
- B. The Cache County School District employee working in a school shall also notify the school principal of any child abuse report made to law enforcement or to DCFS. Reporting to a principal, supervisor, school nurse, school counselor, social worker, psychologist, or other District official does not satisfy an employee's duty to report to law enforcement or DCFS.
- C. It is not the responsibility of school administrators, teachers, or other Cache County School District employees to prove that the child has been abused or neglected or to determine whether the child is in need of protection. Investigation by District personnel prior to making a report shall not extend beyond that which is necessary to support a

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reasonable belief that a problem exists. District personnel should keep notes of voluntary or spontaneous statements by the child and turn over such notes to the investigating agency. Principals or other school District employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.

- D. The responsibility for conducting an investigation of child abuse or neglect and for notifying parents of an investigation rests exclusively with law enforcement and DCFS. Except as provided for above, District personnel shall refrain from interviewing the child or having contact with the suspected abuser and/or parents. Interviews conducted by anyone other than the investigating agency can jeopardize proper handling of evidence.
- E. Educators must take into consideration competing obligations under Utah State Code to report to parents incidents regarding threats of suicide, bullying, and other similar behaviors if such behaviors accompany an educator's suspicion of abuse or neglect. An educator is permitted to ask questions and intervene if the educator believes a student is at-risk of attempting suicide, physical self-harm, or harming others.
- F. District personnel shall cooperate with DCFS and law enforcement investigations. This may include, but is not limited to the following:
 - 1. allowing authorized representatives to access and interview students at school consistent with DCFS and law enforcement protocols;
 - 2. allowing appropriate access to student records consistent with FERPA, and other District policies;
 - 3. assisting, if asked, to serve as a member of an interdisciplinary child protection team providing protective diagnostic assessment and coordination of services;
 - 4. avoiding contact with parents/legal guardians of children being questioned by DCFS or local law enforcement, and/or referring parent inquiries directly to the investing agency; and
 - 5. maintaining strict confidentiality.
- G. District personnel shall document DCFS and/or law enforcement investigations in schools using the Cache County School District Notice of Investigation form (attached). The form shall not be placed in the child's educational file.
- H. Principals and other District employees, as well as DCFS and law enforcement, are required to preserve the anonymity of individuals making reports.
- I. Persons making reports or participating in good faith in an investigation of alleged child abuse or neglect are immune from any civil or criminal liability that otherwise might arise from those actions.



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Legal References:

Utah Code§ [53E-6-701](#) and §62A-4a- 401, et seq. Utah Code§ [53G-9-604](#)

Utah Code§ [53E-9-203](#)

Utah Administrative Code, R277-401, et seq.

Synopsis:

Approved by the Board of Education: April 1, 1995. Last Revised January 18, 2018