Sec. 1. REPORTING CHILD ABUSE OR NEGLECT

Any person having reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall **immediately** make a report as required by Chapter 261 of the Texas Family Code.

If a Academy of Accelerated Learning, Inc. employee, agent, or contractor has reasonable cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of the offense of indecency with a child under Texas Penal Code § 21.11, and the employee has reasonable cause to believe that the child has been abused as defined by Chapter 261 of the Texas Family Code, the employee, agent, or contractor shall make a report not later than the **24th hour** after the employee, agent, or contractor first had reasonable cause to believe that the child has been or may be abused or neglected or is a victim of the offense of indecency with a child. An Academy of Accelerated Learning, Inc. employee **may not delegate to or rely on** another person to make the report.

Reports required under Chapter 261 of the Texas Family Code shall be made to one or more of the following agencies:

1. A law enforcement agency, which includes the Department of Public Safety, a county's sheriff's office, a county constable's office, or a municipality's police department.
    a. Note that it **does not include** a police department or agency under the direction of a school district or open-enrollment charter school, including contracted school resource officers.
2. The Texas Department of Family and Protective Services ("DFPS"), Child Protective Services ("CPS") Division, online through the Texas Abuse Hotline (www.txabusehotline.org) or by calling 1-800-252-5400.
    a. A report must be made to DFPS if the alleged or suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place.
    b. Oral reports to DFPS are recorded.
3. The state agency that operates, licenses, or registers the facility in which the alleged child abuse or neglect occurred.

911 should be called immediately if there is an emergency or life-threatening situation that must be dealt with immediately.

A report may be made to the Texas Juvenile Justice Department if the report is based on information provided by a child while under the supervision of the Texas Juvenile Justice Department concerning the child's alleged abuse of another child.

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Tex. Fam. Code §§ 261.101, 261.103.

An employee does not fulfill his or her responsibilities under the law by only reporting suspicion of abuse or neglect to a principal, school counselor, or other staff member.

Academy of Accelerated Learning, Inc. may not require school personnel to report suspicions of abuse or neglect to a school administrator prior to making a report to one of the agencies identified above. *19 Tex. Admin. Code § 103.1401(b)(6)*.

Sec. 2. CONTENTS OF REPORT

A report should reflect the reporter's belief that a child has been or may be abused or neglected or has died of abuse or neglect. The individual making the report shall identify, if known:

1. The name and address of the child;
2. The name and address of the person responsible for the care, custody, or welfare of the child;
3. The facts that caused the individual to believe the child has been abused or neglected and the source of the information;
4. The individual's name and telephone number;
5. The individual's:
    a. Home address; or
    b. If the individual is a professional as defined by Texas Family Code § 261.101(b), the individual's business address and profession; and
6. Any other pertinent information concerning the alleged or suspected abuse or neglect.

Texas Family Code §§ 261.102, 261.104.

As required by law, an individual must provide their name and telephone number when making a report. If the person making the report is a Academy of Accelerated Learning, Inc. employee, agent, or contractor, they must also provide their business address and profession.

DFPS is not authorized to accept an anonymous report of abuse or neglect. *Texas Family Code § 261.104(b)(1)*.

Sec. 3. CONFIDENTIALITY REQUIREMENTS

The identity of a person making a report of suspected child abuse or neglect shall be kept confidential and disclosed only in accordance with the law and the rules of the investigating agency.

Sec. 4. TRAINING

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The Superintendent or designee shall ensure that training concerning prevention techniques for, and recognition of, sexual abuse, trafficking, and all other maltreatment of children, including the sexual abuse, trafficking, and other maltreatment of children with significant cognitive disabilities, must be provided as a part of new employee orientation to all new Academy of Accelerated Learning, Inc. employees as required by Texas Education Code 38.0041. The training must include:

1. Factors indicating a child is at risk for sexual abuse, trafficking, or other maltreatment;
2. Warning signs indicating a child may be a victim of sexual abuse, trafficking, or other maltreatment;
3. Internal procedures for seeking assistance for a child who is at risk for sexual abuse, trafficking, or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;
4. Techniques for reducing a child's risk for sexual abuse, trafficking, or other maltreatment; and
5. Information on community organizations that have relevant research-based programs that are able to provide training or other education for Academy of Accelerated Learning, Inc. staff, students, and parents.

Academy of Accelerated Learning, Inc. must maintain records that include the district or charter school staff members who participated in the training.

The Superintendent or designee may work in conjunction with a community organization to provide the training at no cost to Academy of Accelerated Learning, Inc..

19 Tex. Admin. Code § 103.1401(d)(1)-(3).

Sec. 5. FAILING TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT

By failing to report suspected child abuse or neglect, and employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report;
3. Violates Academy of Accelerated Learning, Inc. policy and may be subject to disciplinary action, including possible termination of employment; and
4. May have his or her certification from the State Board for Educator Certification suspended, revoked, or canceled in accordance with 19 Texas Administrative Code Chapter 249.

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It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

Sec. 6. REPORTING RESTRICTIONS

Academy of Accelerated Learning, Inc. employees are prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employe has cause to believe that the refusal:

1. Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
2. Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

Tex. Educ. Code § 26.0091.

Sec. 7. COOPERATION WITH INVESTIGATIONS

Academy of Accelerated Learning, Inc. officials and employee are prohibited from:

1. Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect, unless permitted by law;
2. Requiring that a parent or school employee be present during the. Interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

Academy of Accelerated Learning, Inc. personnel shall cooperate fully and without parent consent, if necessary, with an investigation of reported child abuse or neglect.

Sec. 8. IMMUNITY

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

Sec. 9. RETALIATION PROHIBITED

Academy of Accelerated Learning, Inc. may not suspend or terminate the employment of, discriminate against, or take any other adverse employment action against a person who is a professional, as that term is defined by Texas Family Code 261.101(b), and who in good faith:

1. Reports child abuse or neglect to:
   a. The person's supervisor;
   b. An administrator of the facility where the person is employed;

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c. A state regulatory agency; or
d. A law enforcement agency; or

2. Initiates or cooperates with an investigation or proceeding by a governmental entity relating to an allegation of child abuse or neglect.

"Adverse employment action" means an action that affects an employee's compensation, promotion, transfer, work assignment, or performance evaluation, or any other employment action that would dissuade a reasonable employee from making or supporting a report of abuse or neglect.

Texas Family Code 261.110.

Sec. 10. POSTING INFORMATION

Using a format and language that is clear, simple, and understandable to students, Academy of Accelerated Learning, Inc. shall post, in English and in Spanish:

1. The current toll-free DFPS Texas Abuse Hotline telephone number, 1-800-252-5400;
2. Instructions to call 911 for emergencies or life-threatening situation that must be dealt with immediately; and
3. Directions for accessing the DFPS Texas Abuse Hotline (www.txabusehotline.org) for more information on reporting abuse, neglect, and exploitation.

This information shall be posted at each Academy of Accelerated Learning, Inc. campus in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students. The information must be on a poster (11 x 17 inches or larger) in large print and placed at eye-level to the student for easy viewing. The current toll-free DFPS Abuse Hotline telephone number should be in bold print.

Tex. Educ. Code § 38.0042; *19 Tex. Admin. Code § 103.1401(e)-(f).*

Sec. 11. ANNUAL REVIEW

The Board shall annually review policies for reporting child abuse and neglect. *19 Tex. Admin. Code § 103.1401(b).*

Sec. 12. COMPUTER TECHNICIAN REPORTS OF CHILD PORNOGRAPHY

Any computer technician employed by Academy of Accelerated Learning, Inc. who, in the course and scope of employment or business with Academy of Accelerated Learning, Inc., views an image on a computer that is or appears to be child pornography must immediately report the discovery to a local or state law enforcement agency or the Cyber Tipline at the National Center for Missing

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and Exploited Children. The report must include the name and address of the owner or person claiming a right to possession of the computer, if known, and as permitted by federal law.

Except in a case of willful or wanton misconduct, a computer technician may not be civilly liable for reporting or failing to report the discovery of an image. A computer technician who intentionally fails to report an image may be subject to criminal prosecution. *Tx. Bus. & Com. Code § 110.002*.

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