

### ***Child Abuse and Neglect Reporting Policy***

Capstone takes seriously the legal responsibility of its personnel to protect the physical and psychological well-being of its scholars. We believe that Capstone personnel have an important role to play in the elimination of child abuse because they are in a unique position to observe children over extended periods of time on a daily basis.

Utah law requires that whenever any person, including any school employee, contracted or temporary employee, or volunteer 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 sexual abuse, physical abuse, or neglect, he/she shall immediately notify the nearest peace officer, law enforcement agency, or the Division of Child Family Service. The law provides serious penalties for failure to fulfill one's duty to report.

The Director shall establish administrative procedures that will comply with the provisions of Utah Code Ann. 53A-6-502; 62A-4a-402, et seq. and Utah Administrative Rules R277-401 help the School's personnel to understand and fulfill their legal responsibilities concerning child abuse.

#### **Administrative Procedures Child Abuse and Neglect Reporting Procedures**

These procedures are established pursuant to the Child Abuse and Neglect Reporting Policy adopted by the Board of Directors.

1. If a School employee has reason to believe that a child may have 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, the employee shall immediately make an oral report to the nearest law enforcement agency or Division of Child Family Service ("DCFS") and to the School's Director.
  - a. The oral report may be made with the Director present, but the person making the report must be present.
  - b. The reporting employee must record the name of the individual and the agency contacted to make the required report.
  - c. The reporting employee must complete and provide a copy of the Child Abuse and Neglect Reporting Form to the Director within twenty four (24) hours. The Director will keep the form in a separate file, and it shall not be placed in the scholar's permanent file. The form should also be sent to the agency to which the oral report was given.
  - d. The Director will preserve the anonymity of the person making the report and any others involved in any investigation.

2. To determine whether or not there is reason to believe that abuse or neglect has occurred, school employees may (but are not required to) gather information only to the extent necessary to determine whether a reportable circumstance exists.

a. Investigations by staff prior to submitting a report shall not go beyond what is minimally necessary to support a reasonable belief that a reportable problem exists.

b. It is not the responsibility of the Director or any other school employees to prove who the abuser is or that the child has been abused or neglected, or to determine whether the child is in need of protection.

c. School 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. School employees shall not conduct interviews with the child or contact the suspected abuser.

e. Notes of voluntary or spontaneous statements by the child shall be given to the investigational agency.

3. Investigations of reports of abuse for children seventeen (17) years of age and younger are the responsibility of DCFS.

a. School employees shall not contact the child's parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.

b. The Director may provide the child's parents with a basic notification of the alleged incident and that a report has been made to DCFS/law enforcement. The parents should then be told that they will receive any/all additional information about the investigation from DCFS.

c. If school officials are contacted by parents about child abuse reports, school personnel shall not confirm or deny that a contact or investigation is taking place. A school employee should refer the caller to law enforcement or DCFS.

d. School officials shall cooperate with DCFS and law enforcement employees authorized to investigate reports of alleged child abuse and neglect.

4. If the suspected perpetrator of child abuse or neglect is a School employee, the Director shall immediately report the allegation to the Utah State Office of Education. Steps shall be taken to assure that further abuse or neglect is prevented by the suspected perpetrator.

5. 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.

6. The Director shall provide each School employee with annual training and/or the written Child Abuse and Neglect Reporting Policy including a copy of the Child Abuse and Neglect Reporting Form. Newly hired staff will be provided with the same training and/or written policy at the beginning of their employment. The training and/or distribution of materials will be documented. See Utah Code R277-401

**\*\*\*CONFIDENTIAL\*\*\***

**Child Abuse and Neglect Reporting Form**

**Oral report made to Director:** Date: \_\_\_\_\_ Time: \_\_\_\_\_

**Child's Information:**

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Birth Date: \_\_\_\_\_ Sex: \_\_\_\_\_

Address: \_\_\_\_\_

**Parent/Guardian Information:**

Father Name: \_\_\_\_\_

Father Address: \_\_\_\_\_

Father Telephone: \_\_\_\_\_

Mother Name: \_\_\_\_\_

Mother Address: \_\_\_\_\_

Mother Telephone: \_\_\_\_\_

Guardian/Caretaker Name: \_\_\_\_\_

Guardian/Caretaker Address: \_\_\_\_\_

Guardian/Caretaker Telephone: \_\_\_\_\_

**Circumstances leading to the suspicion that the child is a victim of abuse or neglect:**

\_\_\_\_\_  
\_\_\_\_\_

Time and date of observations: \_\_\_\_\_

Additional information: \_\_\_\_\_

**Oral report made to:**

Agency: \_\_\_\_\_

Individual's Name: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**Written report sent to:**

Agency: \_\_\_\_\_

Individual's Name: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**Reporting Individual:**

**Director:**

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Do not place this form in the scholar's file.**