

Utah Military Academy (UMA) – Child Abuse and Neglect Policy Addendum to UMA Complete Policy Handbook

Board Policy 2022-6: Child Abuse and Neglect Policy

Adopted: 6 Dec 2022. Posted: 7 Dec 2022

1. Purpose:

This policy provides information regarding Child Abuse and Neglect Policy at UMA in accordance with:

- Utah Code §R277-401

2. Policy:

- Utah law requires that whenever any person, including any school employee, has reason to believe 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, he/she shall immediately notify the nearest peace officer, law enforcement agency, or office of the Division of Children and Family Services (DCFS).
- If there is reason to believe that a child may have been subjected to abuse or neglect, an oral report shall be made immediately, by the school employee reporting the abuse/neglect, with a written report to follow within twenty-four (24) hours.
 - If at all possible, notify the principal and make the report together.
 - Complete the *Utah Youth Concern Reporting Form* before making the oral report to DCFS.
 - When making the oral report, always have the person you notify identify himself/herself. The notified person's name shall be entered on the written report.
 - A copy of the written report shall be put in a file maintained to record all reports of child abuse; and another copy shall be placed in a separate file to be maintained by the principal, for all reported cases of suspected child abuse or neglect.
 - The report shall not be placed in the student's personal file.

- The Board recognizes that the Utah law requires the reporting of child abuse and neglect by any person who has reason to believe that a child has been abused or neglected. To implement this law the board authorizes the administration to develop procedures for school employees to carry out the intent of the law.
- The administration recognizes that in order to fully implement the law on reporting child abuse or neglect, school personnel must be fully informed and made aware of their responsibilities in this area. The administration shall train personnel. Any school employee who knows or reasonably suspects that a child has been subjected to abuse or neglect, shall report or cause reports to be made in accordance with the procedures in this policy.
- Investigation of Child Abuse and Neglect
 - It is not the responsibility of principal or other school employees to prove the child has been abused or neglected, or to determine whether the child is in need of protection.
 - Investigation by staff prior to submitting a report shall not go beyond that necessary to support a reasonable belief that a reportable problem exists.
 - To determine whether or not there is reason to believe abuse or neglect has occurred, professional school employees may (but are not required to) gather information only to the extent necessary to determine whether a reportable circumstance exists.
 - Interviews with the child or suspected abuser shall not be conducted by administrators or school employees.
- Notes of voluntary or spontaneous statements by the child shall be made and given to the investigating agency.
- School administrators, Division of Child & Family Services and law enforcement personnel are required to preserve the anonymity of those making the initial report and any others involved in the subsequent investigation.

- Investigations are the responsibility of the Division of Child and Family Services.
 - The Principal/any employee shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.
 - Principal and employees shall cooperate with social service and law enforcement agency employees authorized to investigate reports of alleged child abuse and neglect, assisting as asked as members of interdisciplinary child protection teams in providing protective diagnostic, assessment, treatment, and coordination services.
 - Principal and employees shall not demand to be present in the investigation. They may be present if invited, but should not prompt or answer for the child.
 - Request the investigating DCFS representative and/or law enforcement to show ID and sign in.
 - If a parent calls about the interview, advise the parent that under law the school may neither confirm nor deny that an interview has taken place, that all such investigations are the responsibility of the Division of Child and Family Services and law enforcement, and that those agencies should be contacted if there are any questions.
 - Individuals 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.

- Release of Student Information:

The Federal Family Educational Rights and Privacy Act (FERPA) prohibit many disclosures from student records without prior written consent of the child's parent. However, FERPA allows for release of student information without parental consent to appropriate officials in cases of health and safety emergencies. This is particularly true in the case of "directory information". The school may release directory information without the prior written consent of parents as long as the District has satisfied the required FERPA notification requirements. (Handed out to every student in the registration packet).