

(67) SUPPORT APPENDIX - SUSPECTED ABUSE, NEGLECT OR ABANDONMENT (revision date: August 2003)

- A. See School Board Rule SUSPECTED ABUSE, NEGLECT OR
ABANDONMENT
- B. REPORTING ABUSE, NEGLECT, AND EXPLOITATION OF CHILDREN, DISABLED
ADULTS, AND ELDERLY PERSONS.

Information Packet for Professionally Mandated Reporters.

Prepared by the Florida Abuse Hotline – 1(800) 962-2873 (954) 712-2282

SUSPECTED ABUSE, NEGLECTED OR ABANDONMENT

(1) DEFINITIONS

- (a) “Child abuse or neglect” means harm or threatened harm to a child’s physical or mental health or welfare by the acts or omissions of a parent, adult household member or other person responsible for the child’s welfare, or for purposes of reporting requirements, by any person.
- (b) “Harm” to a child’s health or welfare can occur when the parent or other person responsible for the child’s welfare:
 - 1. Inflicts, or allows to be inflicted, upon the child physical or mental injury.
Such injury includes but is not limited to:
 - a. injury sustained as a result of excessive corporal punishment;
 - b. physical dependency of a newborn infant upon any drug controlled in Schedule I and Schedule II of s. 893.03, with the exception of drugs administered in conjunction with a detoxification program as defined in s. 397.021, or upon drugs administered in conjunction with medically approved treatment procedures; provided that no parent of such a newborn infant shall be subject to criminal investigation solely on the basis of such infant’s drug dependency.
 - 2. Commits, or allows to be committed, sexual battery against a child or allows to be committed sexual abuse of a child.
 - 3. Exploits a child, or allows a child to be exploited, as provided in s. 450.50.
 - 4. Abandons a child;
 - 5. Fails to provide the child supervision or guardianship by specific acts or omissions of a serious nature requiring the intervention of the department or the court;
 - 6. Fails to supply the child with adequate food, clothing, shelter, or health care, although financially able to do so or although offered financial or other means to do so; however, a parent or other person responsible for the child’s welfare legitimately practicing their religious beliefs, whose reason thereof, does not provide specified medical treatment for a child, may not be considered abusive or neglectful for that reason alone, but such an exception does not:

- a. eliminate the requirement that such case be reported to the department;
 - b. prevent the department from investigating such a case; or
 - c. preclude a court from ordering, when the health of the child requires it, the provision of medical services by a physician, or treatment by a duly accredited practitioner who relies solely on spiritual means for healing in accordance with the tenets and practices of a well-recognized church or religious organization or
- 7. Exposes a child from birth to five years of age to drugs. Exposure to drugs is established by preponderance of evidence that the mother used a controlled substance during pregnancy or that the parent or parents demonstrate continued chronic and severe use of a controlled substance and as a result of such exposure the child exhibits any of the following:
 - a. abnormal growth.
 - b. abnormal neurological patterns.
 - c. abnormal behavior problems.
 - d. abnormal cognitive development.

For the purposes of this paragraph, “controlled substance” means any drug controlled in Schedule I or Schedule II of s 893.03.
- (c) “Department” means the Florida Department of Children and Families

(2) REPORTING SUSPECTED CASES

- (a) Any person, including teachers, administrators, support personnel and other district and school personnel who knows, or has reasonable cause to suspect that a child or student has been abused, abandon, or neglected shall report such knowledge or suspicion to the Department of Children and Families in a manner prescribed by law.
- (b) The proper procedure for reporting known or suspected cases of child abuse, abandonment and neglect is:
 - 1. Report immediately by telephone to the Department of Children and Families central abuse hotline, using the single statewide toll-free telephone number: 1-800-96-ABUSE (1-800-962-2873). School personnel reporting such cases are required to provide their names to the hotline staff. The names of reporters shall be entered into the record of the report, but shall be held confidential as provided by law.
 - 2. School personnel shall report their knowledge or suspicions to the principal.
- (c) School personnel are advised that reporting their knowledge or suspicions of suspected abuse to a principal, or supervisor or other school or district personnel does not comply with the mandatory reporting requirements of the law. The principal, supervisor and other school or district personnel who are informed of suspected abuse, abandonment, and neglect likewise have an obligation to report to the central abuse hotline as required by law.
- (d) No employee of the district shall be subject to reprisal or discharge because of his actions in reporting abuse or neglect pursuant to the requirements of Section 39.203 (2)(b)F.S.
- (e) No School Board employee may agree, as a condition of receiving information about child abuse, neglect, or abandonment, from a victim, a perpetrator, witness,

or other person, that the School Board employee will not report this information as required by law and this School Board rule.

- (f) If the person accused of the abuse of neglect is an employee of the School Board of Broward County:
 - 1. The principal or the principal's designee will report or cause to be reported suspected cases of child abuse, neglect, or abandonment to the appropriate law enforcement agency that come to the attention of school teachers, other school officials, or personnel. This notification must be made immediately.
 - 2. The appropriate law enforcement agency is the agency which has law enforcement jurisdiction throughout the municipality (municipal law enforcement) or the unincorporated area (Sheriff's Department) where that alleged abuse occurred. The law enforcement agency having jurisdiction will issue to the reporter an incident report number to document that reporting notification, as a reference for school-based documentation.
 - 3. Immediately after notifying law enforcement, report the suspected School Board employee involved case, by telephone to the Department of Children and Families central abuse hotline, using the single statewide toll-free telephone number: 1-800-96-ABUSE (1-800-962-2873). School personnel reporting such cases are required to provide their names to the hotline staff. The names of reporters shall be entered into the record of the report, but shall be held confidential as provided by law.
- (g) Failure to report as required by law is a second degree misdemeanor and can be punishable up to 60 days in jail, up to a \$500 fine, and up to six months supervised probation. Additional penalties may also result.

(3) REFERRAL TO LAW ENFORCEMENT

Reports on the central abuse hotline (1-800-96-ABUSE) alleging that a public school employee acting in official capacity has abused a child, or student may **also be referred to the Sheriff's Department or local law enforcement by the Department of Children and Families. The Sheriff's Department or local law enforcement agency may contact the school to initiate a criminal investigation.**

(4) COUNSELING NEEDS

The Board recognizes that a positive school environment contributes to a quality educational program at the school. The district is sensitive to the counseling needs of students, teachers, and staffs and will provide assistance through the Child Study Team and various community agencies in maintaining a positive school environment.

Specific Authority: FS 230.22, F.S. 39.201, et.seq