

CHILD ABUSE POLICY

(Sept. 2008)

Objectives:

- Participants will be able to state the communications required for reporting suspected child abuse.
- Participants will be able to state why an internal investigation will not be conducted on a reported suspected child abuse case.
- Participants will be able to list positive methods of discipline and guidance that encourage self-esteem, self-control, and self-direction.
- Participants will be able to list what Minimum Standards consider cruel or unusual treatment of children.
- Participants will be able to define what must happen if an employee or volunteer is arrested for any criminal offenses of the Penal Code.

POLICY

The purpose of this policy is to clarify reporting of suspected child abuse and violations of licensing standard.

B. **SCOPE**

This policy applies to all Head Start staff, volunteers and vendors.

1. Child Abuse Reporting Procedures:

A person observing a child with bruises, scratches, etc. must report it to Child Protective Services (CPS). If the person observing is unsure if it is child abuse or neglect, he/she, in conjunction with the Site Manager, will make the report.

- a. There must be no attempt to verify the suspicion by investigating or confronting the parents or suspected abuser.

(Reference HR code 261.303)

- b. A Head Start Employee may not delegate or rely on another person to make the report. The first person to whom the child discloses the abuse or neglect, or the first person who suspects a case of abuse, must make the initial verbal report. This report may be made anonymously.

(Reference Family Code 261.101)

Call Child Protective Services at 1-800-252-5400

- c. If the call to Child Protective Services is not anonymous, staff must fill out a

Alleged Child Abuse Incident Management Checklist Forms #1 and #3 and forward this to the Site Manager. The Site Manager will forward the form to the following individuals by the end of the working day.

Human Resources Director
Associate Head Start Director
Head Start Director

Note: *Please refer to the Management checklist*

2. Violation of Child Abuse and/or Neglect

A Site Manager, following an accusation of child abuse or neglect against a Head Start Employee, should not initiate an investigation. Child Care Licensing (CCL) will conduct the investigation. Any additional questioning by Head Start staff may contaminate the evidence.

The following steps will happen after an Employee has been accused of child abuse or neglect.

- a.. The Head Start Employee who first receives the report of alleged abuse or neglect by another Employee or an Employee observes a child being abused or neglected by a staff, volunteer or parent, the Employee will call the CPS Child Abuse hotline 1-800-252-5400. A report will automatically be generated to the Police Department.
- b. The reporting Employee will complete and submit the ***Licensing Violation Incident Management Checklist forms #1 and #3*** immediately to the Site Manager. The Site Manager will notify the parents of the report.
- c. The Site Manager will notify the Human Resources Director who will then notify the Head Start Director and the Associate Head Start Director by telephone and hand deliver the ***Licensing Violation Incident Management Checklist forms #1 and #3*** to the Human Resources Director immediately before the end of the working day. They will also call the CCL representative to inform them of the report.
- d. The Human Resources Director and Associate Head Start Director will determine whether the Employee should be placed on administrative leave with or without pay or be reassigned to the administrative office pending the investigation or be permitted to stay in the classroom.
- e. If the Employee is reassigned or placed on approved leave, the Employee will be notified via either hand delivery or mailed by certified letter – with the request for a return receipt, dated and signed by the recipient.
- f. No staff member will discuss the incident unless it is on a need to know basis.

Test Questions:

1. True False ***The law states that a person must report that a child has been abused only after some evidence has been gathered.***
 2. True False ***Reporting of child abuse must be done by someone in authority within our agency.***
 3. True False ***The initial report to Child Protective Services can be made verbally and anonymously.***
 4. True False ***Whether the report to CPS is anonymous or not the employee must fill out the required forms, Alleged Child Abuse Incident Management Checklist Forms #1 and #3.***
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3. Violations of Minimum Standards against a Head Start Employee:

a. The Minimum Standards 746.2803

Any suspected violations of the Minimum Standards must be reported to the center's licensing representative as required by the Texas Department of Regulations and Protective Services;

A caregiver may only use positive methods of discipline and guidance that encourage self-esteem, self-control, and self-direction, which include at least the following:

- 1). Using praise and encouragement of good behavior instead of focusing only upon unacceptable behavior;
- 2). Reminding a child of behavior expectations daily by using clear, positive statements;
- 3). Redirecting behavior using positive statements; and
- 4). Using brief supervised separation from the group, when appropriate for the child's age and development, which is limited to no more than one minute per year of the child's age.

b. The Minimum Standards 746.2805

- 1). Discipline and guidance of children must be consistent and based on an understanding of individual needs and development.
- 2). Positive methods which encourage self-esteem, self-control, and self-direction must be used.
- 3). Violations of minimum standards include but may not be limited to the following occurrences:
 - (a) lack of supervision of children;
 - (b) inappropriate discipline and guidance of children;
 - (c) actions which affects children's self-esteem, self-control, and self-direction; and

- (d) Cruel or unusual treatment of children
 - corporal punishment or threats of corporal punishment;
 - pinching, shaking, or biting a child;
 - hitting a child with a hand or instrument;
 - putting anything in or on a child's mouth;
 - humiliating, ridiculing, rejecting, or yelling at a child;
 - subjecting a child to harsh, abusive, or profane language;
 - placing a child in a locked or dark room, bathroom, or closet with the door closed; and
 - requiring a child to remain silent or inactive for inappropriately long periods of time for the child's age.
- c. Following an accusation of violation(s) of 746.2803 or 746.2805 the following reporting procedures will be followed. Disciplinary action will be given up to and including termination if these procedures are not adhered to.
 - 1) The Head Start Employee who first receives the report of alleged Licensing violation by another Employee shall immediately contact the Center's Site Manager
 - 2). he Site Manager will then notify the Licensing Representative and the Human Resources Director. The Site Manager will also complete and submit the **Licensing Violation Incident Management Checklist forms #2 and #3**. Site Manager will notify the parents of the report.
 - 3). The Site Manager will notify the Human Resources Director and the Associate Head Start Director by telephone and hand deliver the **Licensing Violation Incident Management Checklist forms #2 and #3** to the Human Resources Director immediately before the end of the working day.
- d. The Human Resources Director, the Associate Head Start Director and the Head Start Director will determine whether the Employee should be placed on administrative leave with or without pay or be reassigned to the administrative office pending the investigation or be permitted to stay in the classroom.
- e. If reassigned or placed on an approved leave, an administrative leave letter will be hand delivered or mailed by certified letter – with the request for a return receipt, dated and signed by the recipient.
- f. No staff member will discuss the incident unless it is on a need to know basis.

4. Actions/Results of Child Protective Services Findings

- a. It is agreed that if there is an incident involving a physical contact or other inappropriate interaction with a child, the Employee will be reassigned until the investigation is completed or a management decision is reached.

If the incident is in regards to a lack of supervision of children or any other

violation of the Minimum Standards, the Employee may remain in the classroom. However, the decision for the Employee to remain in the classroom will be made by the Site Manager, Assoc. Head Start Director, Head Start Director, and Human Resources Director.

b. If it is agreed that the findings are not of a physical contact the Site Manager will place the Employee on disciplinary action, a plan of action, with the follow-up and review dates to address the outcomes/results of the training.

c. A copy of the plan will go to the following:

- 1). Employee
- 2). Human Resources Director
- 3). Education Department

Site Manager and the Education Department will observe the Employee in the specified time period. The Associate Head Start Director will be notified of the results. If it is found that the Employee has not adhered to this plan of action, Human Resources Director will review their status of employment.

5. Procedure for Employee and volunteers who are arrested for any criminal offenses of the Penal Code.

a. If a staff or volunteer is arrested for any criminal offenses of The Penal Code it is to be reported within 24 hours of the arrest.

The staff member or volunteer will be suspended until the matter is resolved by the legal system. Staff members will be suspended without pay pending investigation. If the investigation lasts more than sixty days the Employee's position will be staffed according to the agency's needs. If the investigation lasts more than 120 days then the Employee will be terminated.

(Note) Head Start has sole discretion to immediately terminate any Employee at any time for suspected abuse, regardless of the type, severity or manner, or any violation of this policy.

Test Questions:

5. True False ***Any suspected violations of the Minimum Standards must be reported to the center's licensing representative***

6. True False *If an employee has been accused of child abuse or neglect, the Human Resources Director and the Associate Head Start Director will determine whether the employee should be placed on administrative leave with or without pay or be reassigned to the administrative office pending the investigation or be permitted to stay in the classroom.*
7. True False *If a staff, volunteer or paid parent is arrested for any criminal offenses of the Penal Code it is to be reported within 24 hours of the arrest.*
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Answers: 1.F, 2.F, 3.T, 4.F, 5.T, 6.T, 7.T