

Child Abuse

The school abides by the Child Abuse Prevention, Adoption, and Family Services Act. The law mandates that all cases of suspected abuse and/or neglect be reported to the Florida Department of Children and Families.

Abuse Reporting

Florida Statute, 39.201(a) provides that any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the Florida Abuse Hotline of the Department of Children and Family Services. Section 39.201(b) of the Florida Statutes further provides that any person who knows, or who has reasonable cause to suspect, that a child is abused by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Florida Abuse Hotline of the Department of Children and Family Services. Finally, Florida Statute 39.201(c) requires any person who knows, or has reasonable cause to suspect, that a child is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender, shall report such knowledge or suspicion to the Florida Abuse Hotline of the Department of Children and Family Services.

The following guidelines have been developed to address the professional responsibility for the safety and welfare of the children and families in the schools and centers of the Diocese of St. Petersburg with regard to child abuse. The professional staff in the Catholic school has a moral and ethical mandate to ensure the safety of each child by state of Florida certification standards, National Catholic Education Association guidelines, Florida Catholic Conference Accreditation standards, AdvancedED standards, and Diocesan guidelines.

The State of Florida mandates that any professional working directly with children must report any suspicion of abuse, neglect, exploitation or endangerment of a child to the Department of Children and Family Services (F.S.39.201). Pursuant to Florida Statute 39.203, those professionals, acting in good faith, who report such allegations to proper authorities under the law are held harmless and shall be immune from any civil or criminal liability, which might otherwise result by reason of such action. Under Florida law, any person making a report under Section 39.201, Florida Statutes, shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of such reporting party by reason of his or her making such report. Any detrimental change made in the residency or employment status of such person, including, but not limited to, discharge, termination, demotion, transfer, or reduction in pay or benefits or work privileges, or negative evaluations within a prescribed period of time shall establish a rebuttable presumption that such action was retaliatory. Reporting by professionals as defined by the law is to be conducted using the following guidelines:

- If Abuse of any kind is suspected, a report must be made.
- The administrator must be informed.
- The person who suspects the abuse must make the report personally.

- A School teacher or other school official or personnel is required to provide their name to the Department of Children and Family Services upon filing the report. The name of the individual filing the report will be held confidential and exempt.
- Do not investigate.
- Only obtain the necessary information to identify and report so that the Department of Children and Family Services can conduct an investigation.
- Make the report according to the guidelines given to the administrator in the Administrator Procedural Manual on line.

Florida Abuse Hotline: 1-800-962-2873

Lastly, a person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, commits a felony of the third degree. An individual that is convicted of a third degree felony may be sentenced to a prison term not exceeding five years.

INDICATORS OF ABUSE AND NEGLECT

Source: Department of Children and Families, State of Florida (2001)

CATEGORY	CHILD'S APPEARANCE	CHILD'S BEHAVIOR	CARETAKER'S BEHAVIOR
PHYSICAL ABUSE	Unexpected bruises and welts: on face, lips, mouth on torso, back, buttocks, thighs in various stages of healing reflecting shape of article used to inflict injury (extension cord, belt, buckle, etc.) on several different surface areas regularly appear after absence, weekend or vacation Unexpected burns: Cigar, cigarette burns, especially on soles, palms, back or Buttocks Immersion burns (sock-like, glove-like, doughnut shaped on buttocks, or genitalia) patterned like electric burner, iron, etc. Rope burns on arms, legs, neck or torso Unexplained lacerations or abrasions to mouth, lips, gums, eyes external genitalia Human bite marks	Wary of adult contacts Apprehensive When other children cry Behavioral extremes- aggressiveness or withdrawal Frightened of parents Afraid to of home Reports injury by parents	Has history of abuse as a child Uses harsh discipline inappropriate to child's age, transgression, and condition Offers illogical, unconvincing, contradictory, or no explanation of child's injury Seems unconcerned about child Significantly misperceives child (e.g., sees him as bad, evil, a monster, etc.) Psychotic or psychopathic Misuses alcohol or other drugs Attempts to conceal child's injury or protect identity of person Responsible
NEGLECT	Consistent hunger, poor hygiene, inappropriate dress Consistent lack of supervision especially in dangerous activities Unattended physical problems or medical problems Abandonment	Begging, stealing food Extended stays at school (early arrival and late departure) or truancy Constant fatigue, listlessness or falling asleep Alcohol or drug abuse Delinquency (e.g. thefts) State there is no caretaker	Misuses alcohol other drugs Maintains chaotic home life Shows evidence of apathy or futility Is mentally ill or of diminished intelligence Has long-term chronic illnesses Has history of neglect as a child

<p>SEXUAL ABUSE</p>	<p>Has torn, stained, or bloody underclothing</p> <p>Experiences pain or itching in the genital area Has bruises or bleeding in external genitalia</p> <p>Has sexually transmitted disease or is pregnant</p>	<p>Appears withdrawn or engages in fantasy or infantile behavior</p> <p>Has poor peer relationships Is unwilling to participate in physical activities</p> <p>Is engaging in delinquent acts or runs away</p> <p>State he/she has been sexually assaulted</p>	<p>Extremely protective or jealous of child</p> <p>Encourages child to engage in prostitution or sexual acts in the presence of caretaker</p> <p>Has been sexually abused as a child</p> <p>Is experiencing marital difficulties</p> <p>Misuses alcohol or other drugs Is frequently absent from home</p>
<p>EMOTIONAL MALTREATMENT</p>	<p>Emotional maltreatment, often less tangible than other forms of child abuse and neglect, can be indicated by behaviors of the child and the caretaker</p> <p>Speech disorders Lags in physical development Failure to thrive</p>	<p>Appears overly compliant, passive, undemanding</p> <p>Is extremely aggressive, demanding or rageful</p> <p>Shows overly adaptive behaviors, either inappropriately adult or inappropriately infantile</p> <p>Lags in physical, emotional and intellectual development</p> <p>Attempts suicide</p>	<p>Blames or belittles child</p> <p>Is cold and rejecting Withholds love</p> <p>Treats siblings unequally</p> <p>Seems unconcerned about child's problems</p>

**DIOCESE OF ST. PETERSBURG
CHILD ABUSE INFORMATION GATHERING/ REPORTING FORM**

SCHOOL/CENTER _____ LOCATION _____	DATE OF REPORT _____ INTAKE OFFICER'S ID NUMBER _____ REPORT ID NUMBER _____
---------------------------------------	--

REPORTER INFORMATION		
Last Name _____	First Name _____	
Position _____	School Phone Number _____	School FaxNumber _____
Address of School/Center _____ City _____ FL (zip code) _____		

VICTIM INFORMATION		
Last Name _____	First Name _____	Date of Birth _____
Grade _____	Gender _____	
Race _____	Social Security Number _____	
Is this person a victim? Yes _____ No _____		
Address _____ City _____ State _____ (zipcode) _____		
Home Phone Number _____		

PARENT/GUARDIAN INFORMATION		
Last Name _____	First Name _____	Date of Birth _____
Gender _____		
Race _____	Social Security Number _____	
Is this person a victim? Yes _____ No _____		
Address _____ City _____ State _____		
(zip code) _____	Home Phone Number _____	
Place of Employment _____	Work Phone Number _____	

PERSON RESPONSIBLE FOR ALLEGED ABUSE, ABANDONMENT, NEGLECT OR EXPLOITATION		
Last Name _____	First Name _____	Date of Birth _____
Gender _____		
Race _____	Social Security Number _____	
Relationship to child _____		
Address _____ City _____ State _____ (zip code) _____		
Phone Number _____		

ABUSE INFORMATION GATHERING/ REPORTING FORM

DATE OF REPORT _____

OTHER CHILDREN IN THE HOME

Last Name	First Name	Date of Birth	Gender	Race	Social Security Number	Is this person a victim?
						Yes No
						Yes No
						Yes No

DESCRIPTION OF INCIDENT

1. WHAT HAPPENED?

2. DESCRIPTION OF INJURIES/THREAT OF HARM

IF THE VICTIM IS AN ADULT, DESCRIBE AN EXISTING DISABILITY OR THE VICTIM'S ABILITY TO CARE OR PROTECT SELF

IS THERE ANYONE ELSE WHO MIGHT BE AWARE OF THE ABUSE, ABANDONMENT, NEGLECT, OR EXPLOITATION OF THE VICTIM?

Last Name	First Name	Relationship to the victim	Address	Home Phone	Work Phone	Other Information

NAME OF WITNESS TO REPORT _____
FOLLOW-UP INFORMATION _____

SCHOOL PASTOR'S NAME _____ DATE OF CONTACT WITH SCHOOL PASTOR _____
DATE OF CONTACT WITH OFFICE OF CATHOLIC SCHOOLS AND CENTERS _____ DISPOSITION OF REPORT _____
SCHOOL ADMINISTRATOR SIGNATURE _____ DATE _____

<p>DCF FOLLOW-UP BY REPORTER: DATE _____ OF VERIFICATION OF STATUS OF CASE</p> <p>_____ ON-GOING _____ CLOSED (DATE CLOSED) _____</p> <p>SIGNATURE OF REPORTER _____</p> <p>Nov. 2005</p>	Revised
--	---------

RECOMMENDED PROCEDURE REGARDING Department of Children and Families (DCF) School/ Center Site Visit / Meeting

WHEN A DCF REPRESENTATIVE VISITS A SCHOOL TO INTERVIEW A CHILD:

1. THE ADMINISTRATOR (OR THE SCHOOL COUNSELOR AT THE DISCRETION OF THE PRINCIPAL) MUST CHECK CREDENTIAL

- If there is any concern about the credential, call the DCF office
- If there is any concern regarding the visit, call the DCF office
- Always indicate that the school wishes to cooperate with DCF and Law Enforcement. However, as a private school, school policies and procedures must be followed.
- Keep in mind that a DCF Investigator is not a “law enforcement officer”. Reference is made to Chapter 39.301 of the Florida Statutes, and specifically, subsection 12. Unless accompanied by a sworn law enforcement officer, the DCF Investigator may not compel the school to release documents or allow students to be interviewed without parental consent or a Court Order.
 - i. As the schools and centers of the Diocese of St Petersburg are consider private property, the DCF case worker may only interview a child on school/center property if:
 - permission is granted by the parent, or,
 - a court order is provided, or,
 - a law enforcement officer is present.

2. IF A COURT ORDER IS PROVIDED, THE DCF INVESTIGATOR MAY INTERVIEW THE CHILD.

3. IF THERE IS NO LAW ENFORCEMENT OFFICER PRESENT:

- Explain to the DCF Investigator your understanding that he/she are not a sworn law enforcement officer (reference F.S. 39.301 above)
- Explain that as a private school, a duty exists to the parents that outside contact with students is prohibited unless the parents consent, or unless a sworn law enforcement officer takes control of the investigation, or unless a valid Court Order has been entered authorizing the DCF Investigator.
- The School acts *in loco parentis* and must otherwise obtain consent of the parents before allowing the release of information or the interview of students.
- If the DCF Investigator consents to contacting parents about the interview or release of information, then ask the DCF Investigator to wait while you contact the parent. If consent is given, allow the interview or release of information. If no given, explain the parent has declined authority and the DCF Investigator must obtain a Court Order or involve a sworn law enforcement officer.

- In some instances, the DCF Investigator may believe the school is “interfering” with the investigation. Again, reference should be given to the DCF Investigator as to F.S. 39.301 and Diocesan Legal Counsel should be contacted.

4. IF A **LAW ENFORCEMENT OFFICER ACCOMPANIES** A DCF INVESTIGATOR:

- Explain the general policy of the School and its duty to parents (see above)
- Ask the sworn law enforcement officer if they are assuming control of the investigation:
 - i. If No, then explain that the School would like to cooperate, but cannot allow the release of information or students to be interviewed unless parent consent is obtained.
 - ii. If Yes, then document that the sworn law enforcement officer has taken control of the investigation and cooperate with what is requested.
- Upon the conclusion of the interview, inform the sworn law enforcement officer that you are obligated to inform the parents that their student has been contacted as part of this investigation.
 - i. If the sworn law enforcement officer directs that you no give notice to the parents, further documentation should be made in the file and the parents should not be contacted. If a parent alter becomes upset that they were not notified, you should explain that you were directed by the sworn law enforcement officer and were precluded from interfering with the investigation (i.e., obstructing justice).
 - ii. If the sworn law enforcement officer does not object to contacting the parents, then notice should be given to the parents after the interview has been concluded, suggesting that any questions from the parent be directed to the sworn law enforcement officer.
- If the sworn law enforcement officer assumes control of the investigation, request permission to remain in the room with the student being interviewed, but be mindful that the sworn law enforcement office has control of the investigation and has every right to preclude you from participation.

4. **DOCUMENT VISIT**

5. **RETAIN DOCUMENTATION IN ADMINISTRATOR’S FILE OR GUIDANCE FILE**

6. **MAINTAIN STRICTEST LEVEL OF CONFIDENTIALITY**

Sept. 7, 2005
Updated, Jan. 2007
Updated, June 11, 2013