


TO: ALL PRINCIPALS

FROM: SHELDON H. BERMAN, ED.D.
SUPERINTENDENT 

SUBJECT: REPORTING CHILD ABUSE AND NEGLECT

DATE: JULY 12, 2010

This memorandum is to reaffirm and reemphasize the policy of the Jefferson County Public Schools concerning reporting of child abuse, child sexual abuse, child neglect, and child dependency. **Please review the contents of this memorandum with all of your school staff as soon as possible.**

The District's child abuse reporting policy is Policy JHFE, which was adopted on January 31, 1977, and was revised on November 13, 1995, a copy of which is enclosed. The policy provides as follows:

School district personnel who know or have reasonable cause to believe that a child is dependent, neglected or abused shall immediately cause a report to be made to the proper authorities in accordance with state law.

In order to dispel any confusion you or your staff may have about reporting child abuse or neglect, the District has conferred with the County Attorney's Office and the Cabinet for Families and Children in order to provide you with the following information concerning reporting of abuse and neglect.

First, under Kentucky law, any person is obligated to report child abuse, child sexual abuse, and child neglect or dependency. This means that any school staff member or District employee who becomes aware of abuse or neglect from any source, whether from a student, parent, staff member, or any other person, no matter if the information is oral or in written form, is obligated to report the suspected abuse or neglect to the CPS Hotline (595-4550) immediately.

If you receive information in written form or come into possession of writings, photographs, pictures, or other information in a tangible form which is related to suspected sexual abuse or child neglect, do not mark, write on, or otherwise alter the documents or tangible information in any way. Such information should be provided to the proper authorities after you make your report.

Second, abuse or neglect can be caused by a child's parents, guardian, or other person who has the permanent or temporary care, custody, or responsibility for the supervision of a child, including District personnel.

Abuse can also be caused by another child, a stranger, or someone outside the school setting. Regardless of who is reported to have caused the abuse or neglect, you should immediately report it to the proper authorities and let them handle the investigation. In the event that the abuse or neglect

is caused by a District employee, this is a personnel matter that should also be reported to the principal of your school so that appropriate action can be taken.

Third, state law defines an abused or neglected child as follows:

A child whose health or welfare is harmed or threatened with harm when his parent, guardian or other person exercising custodial control or supervision of the child: inflicts or allows to be inflicted upon the child physical or emotional injury by other than accidental means; creates or allows to be created a risk of physical or emotional injury to the child by other than accidental means; commits or allows to be committed an act of sexual abuse, sexual exploitation or prostitution upon the child; creates or allows to be created a risk that an act of sexual abuse, sexual exploitation or prostitution will be committed upon the child; abandons or exploits such child; does not provide the child with adequate care, supervision, food, clothing, shelter and education or medical care necessary for the child's well-being.

The most common forms of abuse are physical abuse (i.e., assault or contact that causes physical injury or emotional injury) and sexual abuse (i.e., touching private areas or zones of a child's body). If there is any question in your mind whether information you have learned might indicate that a child has been abused or neglected, you should call in the report and let the proper authorities investigate and determine what has occurred.

Fourth, under Kentucky law, there are several authorities to which abuse or neglect can and should be reported. It is the District's policy, in compliance with state law, that you should immediately report incidents of suspected abuse or neglect to:

1. The Department of Social Services – Child Protective Services (CPS) Hotline (595-4550). If the number is busy, keep calling until you get through--do not wait until the next day or, if it is a Friday, until the following Monday. If you are unable to reach someone at the CPS Hotline, then call:
2. The Crimes Against Children Unit (CACU) of the Louisville Metro Police Department (574-2465).
3. When you call the CPS Hotline or CACU, you should provide all of the information you have, including, if possible: (1) the name of the child who has been abused, the name of the child's parents and their address and telephone number; (2) the child's age, and if known, the school that they attend; (3) the nature of the suspected abuse or neglect; (4) the name and address of the person whom you suspect is responsible for the abuse or neglect; and (5) any other information that you believe would be useful to investigate the suspected abuse or neglect, including any documents or other tangible information which relates to your report.

Fifth, after you have reported the abuse to CPS, immediately inform your principal of the report. Do not inform the person or persons suspected of abuse or neglect of the allegations made against them, and do not inform the person or persons suspected that you have called in a report to the CPS Hotline.

In the event that the person who is alleged to have committed the abuse or neglect is an employee of the District, neither the principal nor the person making the report should inform the employee of the allegations of abuse or neglect prior to the principal contacting CACU, informing CACU or CPS that the principal intends to confront the employee on CPS (depending upon which one has accepted responsibility for the investigations) allegations, and allowing CACU or CPS the opportunity to be present when that meeting is held. In the event that CACU or CPS is unwilling or unable to send an officer to that meeting, the principal may proceed with the meeting in a timely fashion.

Sixth, under state law, school personnel are not permitted to conduct an internal investigation in lieu of an official investigation by the CPS, CACU, or other law enforcement authorities. Do not delay your report to further investigate suspected abuse or neglect or to confirm it with other parties. Upon making your report, if more information is needed, you may be asked by CPS to get more information from your original source. This is acceptable and not considered doing the investigation.

Seventh, if a CPS worker or a CACU officer who visits your school wishes to interview a child alone, school personnel are to comply. First, review the credentials or badge of a CPS worker or CACU officer/detective to confirm their identity and document their name and agency. Then provide them with a room to conduct the interview. The District wants to provide full cooperation to provide cooperation to CPS and CACU officials to fulfill the District's obligation under law and to protect its children.

Eighth, state law provides you with civil and criminal immunity from prosecution if you make a report of child abuse or neglect in good faith. On all reports, the CPS Hotline will keep a record of your name and the information on your call, and by law, CPS will not release your identity as the reporter. All calls have a case number, also called a tracking number. You may want to keep a personal note of that case number (not maintained in any student files) should you have to make follow-up calls regarding further abuse reports.

Finally, if you fail to report suspected abuse or neglect, or if you conduct an investigation before making a report, you may be charged with failure to report abuse or neglect, which is a misdemeanor under Kentucky law, and in addition, you may be subject to disciplinary action by the District.

If you have any questions, please report them to your principal or counselor. If principals have questions, or receive questions from their staff, they should contact the Executive Director of Student Relations and Safety at 485-6140. If there are any questions for CPS, or if there are problems when you contact or attempt to contact the CPS Hotline, please call the Cabinet for Health and Family Services at 595-5348.

Remember, every employee of Jefferson County Public Schools is responsible for reporting child abuse, child sexual abuse, and child neglect or dependency immediately.

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