

**Child Abuse Training and Coordination Program
Family Support & Prevention Service
Family Health Service
Oklahoma State Department of Health**

A manual for school personnel



**The School's Role
In The Intervention of
Child Abuse and Neglect**



The School's Role in the Intervention of Child Abuse and Neglect

A Resource Manual for School Personnel

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**In association with:
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Tulsa, Oklahoma**

and



**Oklahoma's Initiation in
Child Abuse intervention**

In collaboration with:

- ✦ **Oklahoma Association of Community College**
- ✦ **Oklahoma State Department of Education**
- ✦ **Oklahoma State Department of Health**
Maternal and Child Health service
Office of Child Abuse Prevention
- ✦ **Oklahoma State Department of Human Services**

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Understanding Child Abuse and Neglect

What is Child Abuse and Neglect?

Child Abuse is defined by Oklahoma law as nonaccidental physical or mental injury cause by the act or omissions of the child's parents or caretakers. This includes the following types of abuse.

Physical Abuse:

Physical abuse may be defined as any act which, regardless of intent, result in a nonaccidental physical injury. Nonaccidental injuries may include beatings, brusing, shaking, burns, human bites or broken bones.

Neglect:

Failure to provid a child with the basic needs of food, clothing, shelter, medical care, educational opportunities, protection or supervision.



Mental/Emotional Abuse:

Mental injury or emotional abuse involves a pattern of behavior that attacks the child's emotional development and sense of self-worth. Examples of emotional abuse may include constant criticizing, belittling, insulting, rejecting or providing no love, support or guidance.

Sexual Abuse:

Sexual abuse is defined as the exploitation of a child or adolescent for the sexual gratification of a person responsible for the child's health and safety. Sexual abuse encompasses a broad range of behavior and may consist of many acts over a long period of time or one single incident.

Child abuse and neglect occurs in all cultural, ethnic, religious, occupational, and socioeconomic groups.

Historical Perspective

The physical and sexual abuse of children is a logical outgrowth of our country's heritage, fascination with sex, and predilection toward violence (Walters, 1975). In fact, the United States has a long history of treating children as inferiors to be done with as the adult caretaker wishes. The thirteen colonies drew upon English common law by adopting the legal view that children were a form of property of their parents. Although the law did recognize the parental obligation to maintain, educate, and protect one's own child, only cases of severe child abuse, involving cruel and merciless punishment or permanent physical injury, resulted in intervention and criminal prosecution (Montelcone, J. A., 1996).

During the Industrial Revolution, because of inhumane child labor, there was a greater willingness to recognize the need for child protection. Not until 1874, however, with the founding of the Society for the Prevention of Cruelty to Children, an outgrowth of the Society for the Prevention of Cruelty to Animals (which had existed for nearly 50 years), was there a significant push to address child abuse issues. However, most child protection laws were not developed until the twentieth century.

As recently as 40 years ago, the sexual abuse of children was thought to be extremely uncommon. In 1955, in a landmark work on incest, it was estimated that the rate of incest among children in the United States was only about one per million (Faller, 1990, p 13). Today, experts in the treatment of sexually abused children believe that as many as one in three American females and one in six males are sexually abused during their childhood (Faller, 1988).

Although child abuse is now legally prohibited, some parent advocacy groups still do not consider any punishment of a child to be abusive as long as it is inflicted as discipline. They focus on the parent's positive intentions, knowing that parents typically believe they are doing what is best for their child. Similarly, different cultural and religious values often influence how parents discipline and respond to their children's needs. When deciding to report abuse or neglect, teachers should not be influenced by the caregiver's intent. Teachers should simply report their concerns and allow the courts, law enforcement, and social services to determine whether it is abusive or parental authority.

What Causes Child Abuse?

There is often a fine line between abuse and discipline. In order for children to grow up and become productive members of society, subject to society's norms, values, and rules, all children need discipline. Discipline is a learning process designed to teach appropriate behaviors. Unlike discipline, abuse is not a learning process. It is designed to stop behavior through inflicting pain. It does not teach alternative, correct behavior. Therefore, abused children do not learn correct behavior. They learn to avoid punishment. There is no one single cause of child abuse. Rather, there are multiple forces on the family, which reinforce each other and which cause abuse and neglect (Lauer, Laurie, Salus, & Broadhurst, 1979). Research has shown that there are certain factors, which can be positively correlated with abuse. Listed below are some characteristics, which may contribute to child abuse.

Adult Caretaker.

- ✓ Has unrealistic expectations that are inconsistent with the child's developmental age
- ✓ Has poor impulse control
- ✓ Reacts to stress with violence
- ✓ Has poor coping skills in stressful situations
- ✓ Does not have a support system (family and friends) to help with the demands of parenting
- ✓ Does not have models of successful family relationships
- ✓ Does not have models of successful parenting
- ✓ Uses physical punishment as a primary method of discipline
- ✓ May view child as "different" or difficult
- ✓ Has history of being abused and/ or neglected as a child
- ✓ Has history of alcohol and/or substance abuse
- ✓ Suffers from physical or mental illness
- ✓ Experiences feelings of rejection
- ✓ Has a poor self image

Environmental Conditions:

- ✓ Unemployment/change in financial situation
- ✓ Death in family
- ✓ Changes in family structure (divorce, separation)
- ✓ Inadequate housing
- ✓ Another pregnancy or birth in the family
- ✓ Change in place of residence

Societal Attitudes:

- ✓ Acceptance and even glorification of violence
- ✓ Lack of willingness to become involved
- ✓ Belief that parents (adults) have the right to treat their own children any way they please
- ✓ Rigid gender role stereotypes
- ✓ School/agency discipline policies which include corporal punishment
- ✓ Media portrayal of sexual violence
- ✓ Discomfort discussing child maltreatment; particularly sexual abuse



Incidence and Prevalence

The educator must be aware of his/her own feelings and responsibilities toward what has happened with the child who comes to him/her for help. It is difficult for most caring adults to hear a child report the details of victimization, and most educators are personally and professionally invested in nurturing children toward educational and emotional growth. The following data would indicate that the concerned educator must prepare him/ herself for the almost certain eventuality that a student will approach him/her for help at some point in their teaching career.

Did you Know?

- 1 The average age of fatalities from child abuse is 21/2 years (Bonner, 1996).
- 2 Over 2,700,000 children are abused and neglected each year in the United States (Squyres, 1997).
- 3 Ten percent of the victims of child sexual abuse are boys (Faller, 1998).
- 4 There are more children under the age of 10 reporting sexual abuse than teenagers (Family and Children's Services, 1997).
- 5 At least one of every 3 girls and one of every 6 boys will be sexually victimized before age 18 (Faller, 1988).
- 6 There is no substantial difference in child death rates between urban and rural counties (Bonner, 1996).

Research has identified several categories of children who run a higher risk than normal for abuse/neglect, including*:

- ✓ Pre-schoolers
- ✓ Children from single-parent homes
- ✓ Latch-key children
- ✓ Premature, sickly infants
- ✓ Children from stressful family situations (including poverty)
- ✓ Children with physical/mental disabilities

* Briere and Runtz, 1988; Friedrich W., 1990; Kluff, R., 1990; McFarlane, K., Waterman, J., Conerty, S., Damon, L, Durfoe, M., & Long, 5,1986

How Can We Prevent Child Abuse?

Effective efforts to prevent abuse and neglect should address the facts listed above. Research shows that the earlier the intervention the greater the likelihood for success.

Components of Prevention Programming

Primary Prevention:

Aimed at positively influencing parents/caretakers before abuse or neglect occurs. key aspects of primary prevention:

- ✓ Offered to all members of a population
- ✓ Voluntary
- ✓ Promote positive family functioning rather than preventing abuse

Examples of primary prevention include:

- ✓ Abuse prevention education
- ✓ Social skill building, valuing diversity, impulse control, coping and stress reduction, communication skills
- ✓ Parenting education
- ✓ Media promotion
- ✓ Before school programs
- ✓ After school programs
- ✓ Parent/school/community partnerships
- ✓ Family life, child development and sexuality education
- ✓ New parent support/ nurturing programs
- ✓ Referrals to community resources and support services
- ✓ Home visitation programs



Secondary Prevention:

Refers to services offered to individuals considered to be "at risk" for abuse or neglect. Abuse and/or neglect has not been identified or reported. Key aspects for secondary prevention include:

- ✓ Offered to a predefined group of vulnerable individuals
- ✓ Voluntary
- ✓ Focuses on particular stresses of identified individuals
- ✓ Identifies appropriate and inappropriate boundaries

Examples of secondary prevention include:

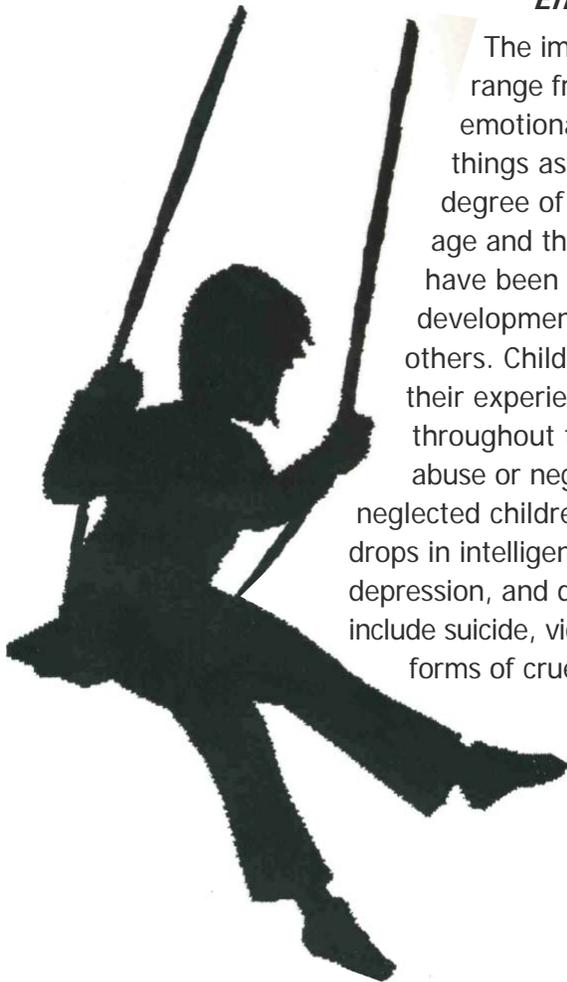
- ✓ Student assistance programs
- ✓ School based clinics
- ✓ Community mental health services
- ✓ Adolescent parenting/day care programs
- ✓ Parent support groups
- ✓ Agency/school partnerships
- ✓ Crisis and respite program
- ✓ Home visitation programs

Tertiary Prevention:

Refers to services provided to children who have been identified as abused/neglected or to individuals who have been identified as abusive or neglectful to children. The intent of these services is to prevent reoccurrence of abuse and/or neglect.

Examples of tertiary prevention include:

- ✓ Emergency shelters for children taken into protective custody
- ✓ Foster care
- ✓ Court ordered counseling, therapy, parent education
- ✓ Hospitalization
- ✓ Incarceration
- ✓ Juvenile justice system
- ✓ Crisis care
- ✓ Supervised visitation



Effects of Child Abuse

The impact of child abuse on the child covers a broad range from little to no effect to major physical and emotional problems. Effects will vary depending on such things as the child's relationship to the perpetrator, the degree of force used, the duration of abuse, the child's age and the child's pre-abuse functioning. Children who have been abused may have delays in physical and/or developmental growth and may find it difficult to trust others. Children don't grow up and forget their childhood, or their experiences. They carry physical and emotional scars throughout their lives, sometimes repeating the pattern of abuse or neglect with their own children. Abused and neglected children can suffer permanent physical impairment, drops in intelligence scores, increases in learning disabilities, depression, and drug and alcohol abuse. Additional side effects include suicide, violence, delinquency, attachment disorders and forms of cruelty (i.e.; to animals or other children).

OKLAHOMA LAW

Mandatory Reporting

The mandatory reporting law for suspected abuse or neglect is found in TITLE 10, SECTION 7103 of the Oklahoma Statutes.

Reporting suspected child abuse or neglect is MANDATORY for any person in Oklahoma who suspects that a child is being abused or is in danger of being abused. Suspected abuse shall be reported to the Department of Human Services in the county where the suspected abuse occurred. This law states that every teacher, "having reason to believe that a child under the age of eighteen (18) years has had physical injury or injuries inflicted upon the child by other than accidental means where the injury appears to have been caused as a result of physical abuse, sexual abuse, or neglect is a victim of abuse or neglect, shall report the matter promptly to the county office of the Department of Human Services in the county wherein the suspected injury, abuse or neglect occurred."

Immunity of Reporters

Title 10, Section 7105

Any person participating in good faith and exercising due care in the making of a report pursuant to the provisions of the Oklahoma Child Abuse Reporting and Prevention Act, or any person who, in good faith and exercising due care, allows access to a child by persons authorized to investigate a report concerning the child shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report.

Title 10, Section 7103

There shall be no penalties or retaliation by an employer when an employee reports suspected abuse. Any employer, supervisor or administrator who discharges, discriminates or retaliates against the employee or other person shall be liable for damages, costs and attorney fees.

Failure to Report by Mandatory Reporter

Any person who knowingly and willfully fails to promptly report any incident of abuse can be charged with a misdemeanor. The penalty for failure to report is a \$500 fine, six months in jail, or both.

Legal implications for Native American Children

When the suspected child sexual or physical abuse or neglect victim is Native American, or when the suspected offender is Native American, numerous federal and tribal agencies may become involved. However, the educator's only responsibility is to report suspected abuse or neglect to the Oklahoma Department of Human Services. The Department of Human Services is responsible for involving the appropriate federal and tribal agencies.

Questionable Situations

With the rapid growth in the number of reports concerning the care of children, the Department of Human Services recognizes the need to carefully define those services which child welfare can provide. The Department of Human Services believes that the well being of children is a shared community concern; however, some problems are not appropriate for intervention. These problems may be more effectively addressed by other community agencies.

Parental Substance Abuse

Parental substance abuse, in and of itself, with no demonstrated adverse impact on the child is not reportable. For example, a parent who is frequently absent from the home due to drug use but leave his/her children in the care of responsible relatives is not considered to be abusive or neglectful.

Failure to Obtain Immunizations

Child Welfare intervenes in medical neglect cases only in situations of imminent danger to the child's health and safety. Immunizations are considered preventive medicine as opposed to treatment. Immunizations also carry risk factors. Therefore, the decision to immunize is a parental decision until the child attains school age when immunizations are required for admission to school. At that time it is the responsibility of the school board to ensure enrollment in school.

Failure to Use Seat Belt Restraints As Required By Law

Oklahoma Law requires the use of seat belts to restrain children. The intent of the law is to protect children from serious injury in the event of an accident. The seat belt statute is a civil law with designated fines and penalties. Law enforcement authorities are responsible for enforcing this statute; not Child Welfare. To report a child not secured in a vehicle by a seat belt, call the Oklahoma Safe Kids Coalition, at (405) 271-5695.

Educational Neglect

The Department of Human Services recognizes that a child missing an education is a serious community problem; however, failure to attend school is the primary concern of educational authorities. Therefore, schools are encouraged to fulfill their statutory responsibilities and exhaust all remedies before involving the Department of Human Services in the following situations:

- ✓ Failure of the caretaker to enroll a child in school or to provide education in accordance with the Code of Oklahoma;
- ✓ As a result of the caretaker's action or inaction, the child fails to meet his/her legal obligation for school attendance; or
- ✓ The caretaker refuses to permit, or does not cooperate with the school, in assessing the need for remedial or other special services for a child.

NOTE: Educational neglect implies that the child's parent or guardian is directly responsible for the failure of the child to attend school, thereby excluding cases of truancy as reportable to the Department of Human Services.

Latchkey Children

The laws of Oklahoma do not set a specific age after which a child legally can stay alone. Age alone is not a very good indicator of a child's maturity level. Some very mature 10-year-olds may be ready for self-care while some 15-year-olds may not be ready due to emotional problems or behavioral difficulties.

In determining whether a child is capable of being left alone and whether a parent is providing adequate supervision in latchkey situations, child protective services (The Department of Human Services) will assess several areas.

These areas include:

- ✓ **Child's level of maturity.** The Department of Human Services will want to assess whether the child is physically capable of taking care of him/herself; is mentally capable of recognizing and avoiding danger and making sound decisions; is emotionally ready to be alone; knows what to do and whom to call if an emergency arises; and has special, physical, emotional, or behavioral problems that make it unwise to be left alone. It is important to note that a child who can take care of him/herself may not be ready to care for younger children.
- ✓ **Accessibility of those responsible for the child.** The Department of Human Services will want to determine the location and proximity of the parents, whether they can be reached by phone and can get home quickly if needed, and whether the child knows the parents' location and how to reach them.
- ✓ **The situation.** The Department of Human Services will want to assess the time of day and length of time the child is left alone; the safety of the home or neighborhood; whether the parents have arranged for nearby adults to be available in case a problem arises; and whether there is a family history of child abuse or neglect.



IDENTIFYING CHILD ABUSE AND NEGLECT

General Indicators to Notice in the School Setting

1. Frequent absences, especially after holidays or extended time with their family
2. Learning disorders
3. Behavior problems (aggression or withdrawal)
4. Below grade-level performance
5. Poor social skills
6. Psychosomatic illnesses
7. Poor coordination, deficiencies in motor skills
8. Low self-esteem
9. Clinging behavior or child is overly solicitous or wary of physical contact
10. Severe emotional disturbance
11. Intentional cruelty to other children or animals
12. Frequent tardiness

Identification is a key factor in the prevention and intervention of abuse and neglect. Educators often have the opportunity to observe children's behaviors in a variety of settings and circumstances. Over the course of a school year, a child spends approximately 1,000 hours in the classroom. Teachers identify a particular type of maltreatment by becoming aware of and recognizing certain physical and behavioral indicators.

On the following pages, physical and behavioral indicators of the four types of child abuse are listed. Please note that not any single indicator proves that abuse is taking place, but the repeated presence of an indicator, or a combination of indicators, should alert educators to the possibility of abuse.

The law requires that any person, whether a professional or a general citizen, who has reasonable cause to believe that a child is being harmed must report the abuse.

REMEMBER THAT YOUR ROLE IS NOT TO INVESTIGATE SUSPECTED ABUSE OR NEGLECT.

The Department of Human Services, or law enforcement, will investigate the suspicions.

* Abuse indicators are adapted from: American Association for Protecting Children, "Guidelines for Schools", American Humane Association, Denver, CO. and the U.S. Department of Health and Human Services as well as "The Educator's Role in Prevention Treatment of Child Abuse and Neglect", U.S. Government Printing Office, Washington, D.C.

Physical Abuse Indicators

Physical Indicators:

- ✓ Unexplained bruises and welts:
 - on face, lips, mouth, eyes
 - on torso, back, buttocks, thighs
 - in various stages of healing
 - clustered, forming regular patterns
 - marks reflecting the shape of the article used to inflict the injury (i.e., electric cord, belt buckle)
 - regularly appear after school absences, weekends, or vacations
- ✓ Unexplained burns:
 - cigar, cigarette burns, especially on soles, palms, back or buttocks
 - immersion burns (sock-like, glove-like or doughnut-shaped)
 - patterned like electric burner, iron, etc.
 - rope burns on arms, legs, neck, or torso
- ✓ Unexplained fractures:
 - to skull, nose, facial structure
 - in various states of healing
 - multiple or spiral fractures
- ✓ Unexplained lacerations or abrasions:
 - to face, mouth, lips, gums, eyes, torso, arms, back, buttocks, thighs
 - to external genitalia
 - human bite marks
 - bald spots

(Note the "bruising areas" diagram on page 13)

Behavioral Indicators of Child:

- ✓ Apprehensive when other children cry
- ✓ Behavioral extremes, such as aggressiveness, withdrawal, or overly compliant
- ✓ Afraid to go home
- ✓ Arrives at school early and/or stays late
- ✓ Reports injury by caretaker
- ✓ Complains of soreness and moves awkwardly
- ✓ Destructive to self and others
- ✓ Wears clothing that covers body and is not appropriate for the weather
- ✓ Chronic runaway (especially adolescents)
- ✓ Uncomfortable with physical contact or touch
- ✓ Seems frightened of caretakers
- ✓ Apt to seek affection from any adult
- ✓ Decline in school performance
- ✓ Hyper vigilant
- ✓ Gives implausible explanations of injuries

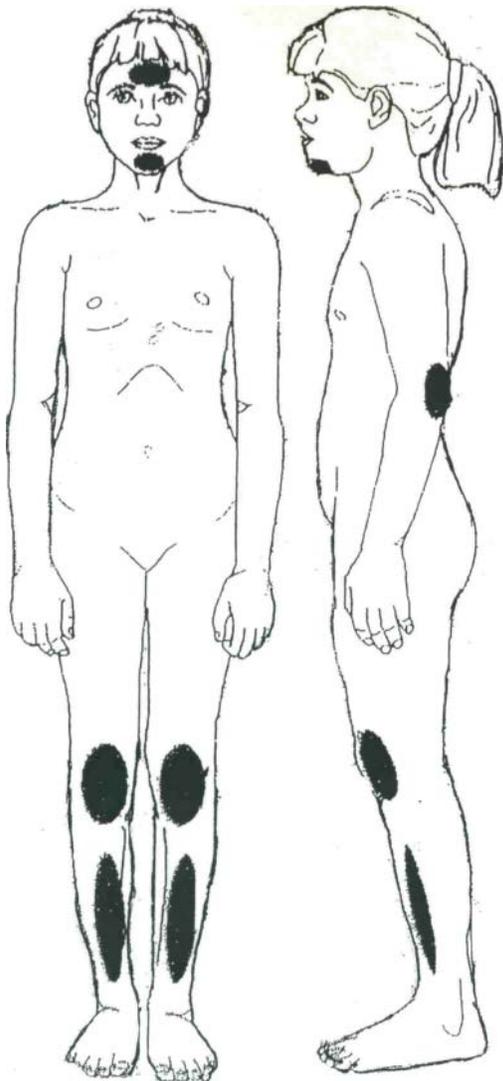
Behavioral Indicators of Caretakers):

- ✓ Seems unconcerned about children
- ✓ Views child as bad, evil, a monster, etc.
- ✓ Attempts to conceal child's injury or to protect identity of person responsible
- ✓ Discipline is not consistent with child's age, condition, or behavior
- ✓ Explanation of child's injury not consistent with type of injury
- ✓ Offers no explanation of child's injury
- ✓ Excessive attention to toilet training
- ✓ History of domestic violence
- ✓ History of abuse and/or neglect as a child
- ✓ Alcohol/drug misuse
- ✓ Becomes excessively angry at the child's performance
- ✓ Fails to keep appointments or return telephone calls

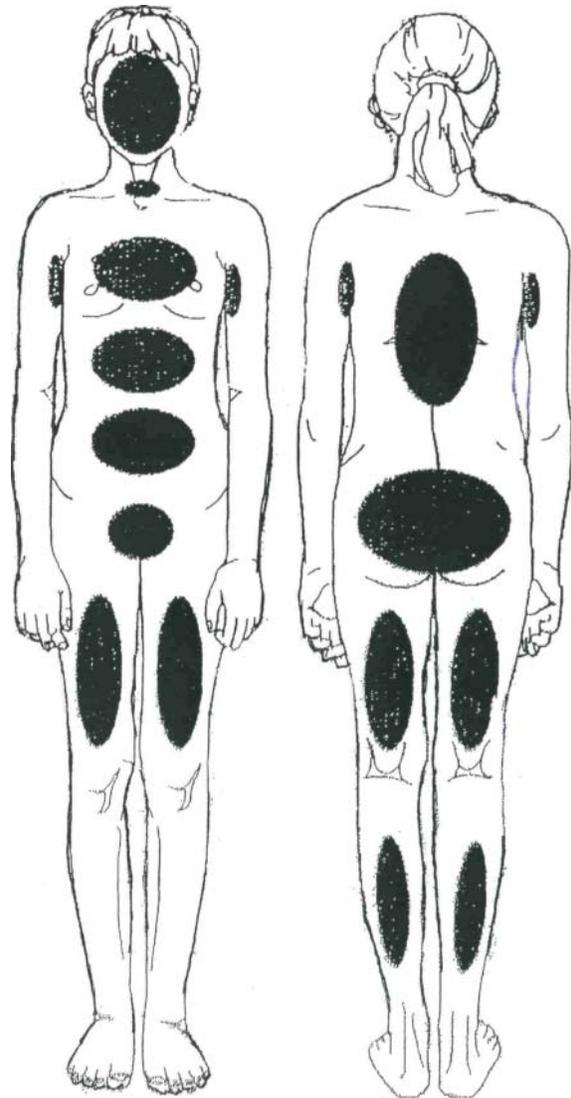
Please note that not any one single indicator proves that abuse is taking place, but the repeated presence of an indicator or a combination of indicators should alert educators to the possibility of abuse.

Bruising Areas

Normal Bruising



Suspicious Bruising



Neglect Indicators

Physical Indicators:

- ✓ Consistent hunger
- ✓ Inappropriate dress, clothing dirty or wrong for the weather
- ✓ Poor hygiene
- ✓ Lack of age appropriate supervision
- ✓ Unattended physical problems or medical needs
- ✓ Abandonment
- ✓ Distended stomach, emaciated

Behavioral Indicators of Child:

- ✓ Begging, stealing food
- ✓ Constant fatigue, listlessness or falling asleep
- ✓ States there is no caretaker at home
- ✓ Frequent school absence or tardiness
- ✓ Destructive, aggressive
- ✓ School dropout (adolescents)
- ✓ Alcohol/drug misuse
- ✓ Sexual misconduct
- ✓ Delinquency or criminal involvement

Behavioral Indicators of Caretakers):

- ✓ Alcohol/drug misuse
- ✓ Disorganized, chaotic home life
- ✓ Isolated from friends, relatives, & neighbors
- ✓ Lack of social skills
- ✓ Long-term chronic illness
- ✓ History of neglect as a child
- ✓ Lethargic and apathetic
- ✓ Consistent failure to keep appointments or return telephone calls
- ✓ Maintains home in unsanitary conditions
- ✓ Appear to be suffering from a mental illness, developmental disability, and/or drug or alcohol abuse, so severe that it interferes with the ability to provide for the child's basic needs

Please note that not any one single indicator proves that neglect is taking place, but the repeated presence of an indicator or a combination of indicators should alert educators to the possibility of neglect.

Emotional Abuse Indicators

Physical Indicators:

- ✓ Speech disorders
- ✓ Lags in physical development
- ✓ Failure to thrive (especially in infants)
- ✓ Asthma, severe allergies, or ulcers
- ✓ Drug and/or alcohol abuse

Behavioral Indicators of Child:

- ✓ Habit disorders (sucking, biting, rocking, etc.)
- ✓ Conduct disorders (oppositional, defiant, antisocial, destructive, etc.)
- ✓ Neurotic traits (sleep disorders, inhibition of play)
- ✓ Behavioral extremes:
 - compliant and passive
 - aggressive and demanding
- ✓ Overly adaptive behavior:
 - inappropriately adult-like
 - inappropriately infantile
- ✓ Developmental lags (mental, physical, emotional)
- ✓ Speech disorders
- ✓ Delinquent behavior (especially adolescents)
- ✓ Self-destructive (self-mutilation, suicide attempts)

Behavioral Indicators of Caretaker(s)

- ✓ Treat children in the family unequally
- ✓ Blames or belittles child
- ✓ Cold and rejecting
- ✓ Withholds love
- ✓ Lacks nurturing skills
- ✓ Ignores child's problems
- ✓ Unrealistic demands or impossible expectations without regard for the child's developmental capability



Please note that not any one single indicator proves that abuse is taking place, but the repeated presence of an indicator or a combination of indicators should alert educators to the possibility of

Sexual Abuse Indicators

Physical Indicators:

- ✓ Difficulty in walking or sitting
- ✓ Torn, stained, or bloody underclothing
- ✓ Pain or itching in genital area
- ✓ Bruises or bleeding in external genitalia, vaginal or anal areas
- ✓ Venereal disease
- ✓ Frequent urinary or yeast infection
- ✓ Frequent unexplained sore throat
- ✓ Red or swollen genital area
- ✓ Odor in genital area
- ✓ Pregnancy

Behavioral Indicators of Child:

- ✓ Inability to concentrate
- ✓ Arriving at school early and/or leaving late
- ✓ Frequent absences from school, many times justified by parent/caretaker
- ✓ Abrupt change in child's behavior/moodiness
- ✓ Depression-excessive crying
- ✓ Clinging behavior
- ✓ Low self-esteem
- ✓ Reluctance to undress for physical education/nurse
- ✓ Unwillingness to participate in physical/recreational activities
- ✓ Complaints (stomach aches, vaginal pain)
- ✓ Afraid to be alone with adults, especially males
- ✓ Severe drop in school performance
- ✓ Seductive, promiscuous behavior toward peers or adults
- ✓ Persistent and inappropriate sexual behavior
- ✓ Repeated attempts to run away from home
- ✓ Poor peer relationships
- ✓ Wary or threatened by physical contact, closeness
- ✓ Pseudo-maturity
- ✓ Overly concerned for siblings
- ✓ Self-destructive behaviors (suicidal threats or attempts)
- ✓ Detailed and age-inappropriate understanding of sexual behavior
- ✓ Extreme weight loss/gain
- ✓ Unexplained money or gifts
- ✓ Excessive masturbation
- ✓ Frequent psychosomatic complaints
- ✓ Regression in toilet training
- ✓ Wearing layered or baggy clothing

Behavioral Indicators of Caretaker(s):

- ✓ Jealous or overly protective of child
- ✓ Isolation/alienation of child and family members within the community
- ✓ Frequent absences from home by one of the caretakers/ parents of the child
- ✓ Blurring of generational boundaries
- ✓ Rigid, restrictive home environment
- ✓ Alcohol/drug misuse
- ✓ Parental/child role reversal

Please note that not any one single indicator proves that abuse is taking place, but the repeated presence of an indicator or a combination of indicators should alert educators to the possibility of abuse. Often there are no visible indicators.

RESPONDING TO A CHILD'S DISCLOSURE OF ABUSE

Children disclose abuse in a variety of ways. They may disclose through very direct and specific communication, but unfortunately that is not usually the case. Because of the variability of children's language skills, the educator must be attentive both to what the child is saying and not saying. A child's vocabulary may not be sufficiently developed to use words, which are readily understood by adults in the description of an abusive situation. This is especially true in the area of sexual abuse where body concepts and terminology can be particularly difficult for young children to verbalize. Often the child will disclose through indirect means such as "Our neighbor wears funny underwear," or "My brother bothers me at night," or by asking that you promise not to tell if he/she tells you a secret.



Be sure to listen, encourage and assure the child. Ask non-leading questions if the child's comments seem to be covering up an underlying problem. Let the child know you cannot promise not to tell if the secret is something that is hurting him/her.

Occasionally, a child will disclose during a class session. If this occurs, the educator should acknowledge the disclosure but not discuss it in front of the other students. After the class session, the educator should talk with the child in a quiet, private place.

When a child discloses, either openly or indirectly, about abuse or neglect in his/her family, it is important to recognize the strength which this child has demonstrated by sharing his/ her secret and to honor the trust they have shown by choosing you as a confidant. Although abuse may be a difficult subject to discuss, it is important to handle the disclosure with sensitivity. In part, this can be accomplished by following these suggested guidelines.

Below are some suggestions for responding to a disclosure.

DO:

- ✓ **Find a quiet, private place to talk to the child.**
- ✓ **Listen to what is being told to you.**

Do not push the child to share more than he/she is willing. The child needs warmth and acceptance. It is not necessary for intimate details to be revealed.
- ✓ **Ask only for information to assess the child's safety.**

Is he/she in immediate physical danger? Is it a crisis? Are there others in the home who can protect the child? The proper authorities will gather the detailed information.
- ✓ **Reassure the child that he/she has done the right thing by telling you.**

Acknowledge the difficulty of the decision and the personal strength shown in making this decision. Make a clear distinction that the abuse or neglect is not the child's fault and that he/she is not bad or to blame.
- ✓ **Keep your own feelings under control**

Be calm and nonjudgmental. Be careful not to criticize or belittle the child's family. However, indicating your sadness about the abuse may be appropriate.
- ✓ **Use the child's own vocabulary.**
- ✓ **Tell the child you cannot promise not to tell.**

This is not a situation you can handle by yourself. By Oklahoma law, you are required to report your suspicions to The Department of Human Services.
- ✓ **Tell the child that there is help available.**
- ✓ **Tell the truth.**

Do not make promises you cannot keep, particularly relating to secrecy, court involvement, placement and child welfare decisions.
- ✓ **Be specific about what will happen next.**

Let the child know exactly what is going to happen. Tell the child that the law requires you to report the abuse or neglect to child welfare. Tell the child that a social worker who helps families with these kinds of problems may be coming to talk with him/her.
- ✓ **Be supportive.**

Remember why the child came to you. He/she needs your help, support and guidance. Let the child know that telling about the abuse or neglect was the right thing to do and that they have a right to be safe.

- ✓ **Try to help the child regain control.**
The child is about to become involved in a process in which the primary intent will be to determine his/her need for protection. At times, this may seem to sweep the child up in a series of events that are beyond his/her control. Although alternatives may be limited, it can help to let the child make decisions, whenever possible, to allow him/her some sense of self-determination. For example, you might ask the child what you could do to help or make the process less difficult.
- ✓ **Reassure the child that you will do your best to support him/her.**
As soon as possible, do write down the date and the actual words used in the disclosure (both the child's and yours). The child's first statements have significant forensic importance.
- ✓ **Report the incident to the Department of Human Services.**
- ✓ **Seek out your own support person(s) to help you work through your emotional feelings about the disclosure (if needed), keeping in mind the confidential nature of the information you may be sharing.**
The emotional impact of dealing with the victimized child is a serious consideration. Effective self-care is critical for the educator responding to abuse allegations.

DO NOT:

- ✓ **Do not express shock or disbelief while the child is talking.**
The child may interpret this to mean that you find him/her unacceptable, versus the act perpetrated on them.
- ✓ **Do not ever try to talk a child out of what he/she is saying.**
If you are skeptical, do not express your doubts to the child.
- ✓ **Do not try to determine for yourself if the allegation is valid or invalid.**
This is the role of child welfare and law enforcement.
- ✓ **Do not correct or criticize the child's choice of words or language.**
Especially in sexual abuse cases, the child may use graphic language to disclose. Usually the perpetrator during the abuse has used this language.
- ✓ **Do not ask a lot of questions.**
Just receive the information and let the child know you can handle whatever they wish to share.
- ✓ **Do not conduct an investigation.**
Document what the child said and let the investigators take over from there. In depth questioning jeopardizes the quality of information disclosed by the child.
- ✓ **Do not call the child's parents.**
According to state law, it is the responsibility of The Department of Human Services to notify parents.
- ✓ **Do not promise confidentiality to the child.**

- ✓ **Do not convey anger or impatience if the child is not ready to discuss the abuse.**
- ✓ **Do not make negative comments about the perpetrator or launch into a moral lecture about the incident.**
Refrain from judging the suspected perpetrator and his/her alleged actions.
- ✓ **Do not disclose the information indiscriminately.**
Tell only those adults who need the information to protect and support the child.
- ✓ **Do not stand over a child while he/she is disclosing abuse.**
This may make him/her feel crowded or dominated. Instead, place yourself physically on the child's eye level.
- ✓ **Do not suggest to a child that you think he/she may have been abused.**

The report, **verbal** and **written**, should be made to your local child welfare office or the statewide hotline as specified by school policies and legal statutes.

REMEMBER:

- ✓ The report should be made as soon as there is reason to suspect abuse (review indicator lists).
- ✓ An immediate oral report and prompt written follow-up (see page 24) are legally required.
- ✓ The report is not an accusation, but merely a request for an investigation.
- ✓ Failure to report a suspicion of child abuse or neglect is a misdemeanor, and the child (or other children) is left potentially at risk for future abuse, even death.
- ✓ The person who reports in "Good Faith" is "immune from liability, both civil and criminal." (see page 7)
- ✓ Reporting suspected abuse to someone in your school does not fulfill the legal mandate to report. You, as the person who "knows or suspects" the abuse, are responsible for reporting to the Department of Human Services.

REPORTING PROCEDURES

School District Reporting

Every school district needs to have a written district policy for reporting child abuse and neglect. The policy should be based on Oklahoma law with input from the Department of Human Services and local law enforcement agencies. All school district employees should be aware of the existence and content of such policy. The policy should be reviewed and updated annually by a panel familiar with child abuse statutes and detection/reporting procedures



*Model School Reporting Policy**

Important elements that should be cited in a school district reporting policy regarding child abuse and neglect are:

1. A brief rationale for involving school personnel in reporting.
2. The name and appropriate section numbers of the state reporting statute.
3. Who specifically is mandated to report.
4. Reportable conditions as defined by state law.
5. The person or agency to receive reports.
6. The information required of the reporter (include a sample of the district reporting form).
7. Expected professional conduct by school employees.
8. The exact language of the law to define "abuse" and "neglect". If necessary, explanation, clarification or expansion of the definition.
9. The method by which school personnel are to report and the time within which to report. A telephone number of the local social services agency should be listed.
10. The law cites that there shall be no penalty or retaliation by an employer when an employee reports suspected abuse.
11. The penalty for failure to report, established by state law.
12. Any action which will be taken by the school board for failure to report.
13. Any provisions of the law regarding the confidentiality of records pertaining to reports of suspected abuse or neglect.

* Adapted from Education Policies and Practices Regarding Child Abuse and Neglect and for Policy Development, Education Recommendation Commission of the States, 1976.

CHILD ABUSE AND NEGLECT REPORTING PROCESS

Immediately report any suspicion of child abuse or neglect to the Oklahoma Statewide Child Abuse hotline @ 1.800.522.3511, which is available twenty-four hours a day. You may also call your local OKDHS county office during business hours.

A list of the OKDHS county offices is available online at www.okdhs.org



Your school's protocol may require you to also prepare a written report. (See example on page 25) When you make the call to OKDHS, record the name of the OKDHS person taking the report, their phone number and the number assigned to your report.

It is critical to reflect as accurately as possible the nature of the abuse and/or neglect. Do not overstate, nor minimize, the extent of the suspected abuse.

The following information will be requested by OKDHS when you make your report:

- Name, age and gender of the child
- Parent's name
- Address, phone number and directions to the child's home
- Parent's place of employment
- Description of the suspected abuse
- Current condition of the child

After making the report to OKDHS, your school protocol may also require you to be responsible for informing your immediate supervisor. This notification procedure is not a substitute for making a report to OKDHS. According to state law, reporting is an individual responsibility and the person who suspects abuse is the person who must make the report. The legal responsibility for reporting is not satisfied by merely reporting the suspicion to a supervisor.

CHILD OBSERVATION DOCUMENTATION

Child's Name: _____

Describe your observations of a physical injury. Document a child's disclosure or your suspicions concerning a child abuse incident:

Incident 1:

Date: _____

Incident 2:

Date: _____

Incident 3:

Date: _____

Incident 4:

Date: _____

Incident 5:

Date: _____

Incident 6:

Date: _____

Sample Reporting Form

SUSPECTED CHILD ABUSE/NEGLECT REPORT

Child's Name: _____ Date of Birth: _____ Gender: _____

Address: _____ School: _____ Grade: _____

Parent(s)/Legal Guardian: _____

Address: _____

phone: () _____ Work phone: () _____

A copy of this suspected child abuse or neglect report is to be filed with the county office of the Department of Human Services, the supervising administrator and the Superintendent of Schools.

Describe the nature and extent of the suspected child abuse or neglect:

Describe any evidence of previous suspected child abuse or neglect (including dates, time frame, objective observations, child and/or parent statements):

Names of persons present during the interview with the child:

Provide name(s), address(es), and relationship to child of person(s) responsible for suspected abuse or neglect (if known):

Call to Department of Human Services: _____
Date Time Person taking Report

Name of Person reporting to DHS Position School

Signature: _____

Recommendation: Send this form with your original signature to your local county Department of Human Services and retain a copy for school district files.

AFTER A REPORT IS MADE

According to state law, it is the responsibility of the Department of Human Services to notify a parent that a child has been initially interviewed; it is not the school's responsibility. If a referral is accepted by the Department of Human Services, a complete investigation or assessment will be conducted. If it is determined that the child is in imminent danger, law enforcement may remove the child from the home. If necessary, the court will determine whether temporary or permanent separation from the family will occur.

Treatment for the child and/or family may be recommended or mandated.

As a mandated reporter, you may obtain the following information from the Department of Human Services:

1. Whether the case was accepted for investigation or assessment.
2. Whether it was determined to be confirmed.

Responsibilities of the Department of Human Services

The responsibilities of the Department of Human Services in cases of suspected child abuse and neglect include:

- ✓ Investigating cases of alleged child abuse or neglect (social services has primary responsibility for intrafamilial and institutional abuse investigations),
- ✓ Monitoring services and treatment for the child and family where child abuse and neglect has been confirmed.
- ✓ Offering voluntary services for families when there is a risk for abuse or neglect.

Responsibilities of Law Enforcement

The responsibilities of law enforcement agencies in cases of suspected child abuse and neglect include:

- ✓ Investigating cases of alleged child abuse (law enforcement has primary responsibility for investigating child abuse as a crime),
- ✓ Gathering and maintaining all evidence,
- ✓ Immediately reporting incidents to the local Department of Human Services, and
- ✓ Taking the child into protective custody, if determined necessary.

Responsibilities of the Multidisciplinary Team

Like forcing a square peg through a round hole, propelling a child through a traditional, adult-oriented investigative process can result in undesirable consequences.

First, children and families can suffer avoidable stresses induced by the investigative process itself. Prolonged investigations with multiple interviews by a number of different professionals can be associated with adverse, emotional effects for some children (California Research Advisory Panel, 1994). Investigations conducted in a parallel manner promote forgetting and increase the potential for contamination of the child's story. The key components of a multidisciplinary child abuse response team as outlined in O.S.10.1995, Section 7110 are:

- ✓ Review investigations, assess service delivery, and facilitate efficient and appropriate disposition of cases through the criminal justice system.
- ✓ Develop a written protocol for investigating child sexual and serious physical abuse cases and for interviewing child abuse victims. In addition, each team shall develop agreements signed by member agencies that specify the role of the team.
- ✓ Increase communication and collaboration among the professionals responsible for the reporting, investigation, prosecution and treatment of child abuse and neglect cases.
- ✓ Eliminate duplicative efforts in the investigation and the prosecution of child abuse cases.
- ✓ Identify gaps in service or all untapped resources within the community to improve the delivery of services to the victim and family.
- ✓ Encourage the development of expertise with discipline-specific and cross-discipline training.
- ✓ Formalize a case review and case tracking process for all or problematic cases of child abuse and neglect, and
- ✓ Standardize investigative procedures for the handling of child abuse and neglect cases.

Court Action and Testimony By School Employees

Most cases of child abuse or neglect do not require court involvement. Most families do not neglect or injure a child with willful intent, and will accept help in correcting the circumstances which caused the maltreatment. However, where there is evidence of abuse or neglect and the family does not do what is necessary to ensure the safety of the child, a petition may be filed in civil court by the district attorney based on recommendations made by the Department of Human Services.

The court is a place where the rights of the child and the parents are protected. Ultimately, the court will decide what is in the best interests of the child and whether the family needs services.

On rare occasions, a school employee may be requested to provide a written report or testimony to assist the court in making a decision.

ASSISTING THE CHILD VICTIM AND FAMILY

*Working With The Abused Child In The Classroom**

School staff is often uncomfortable and uncertain about interacting with an abused child once he/she returns to or enters school. The classroom teacher can play a significant role in helping an abused child by privately acknowledging, but not dwelling on, the situation and then creating a supportive and safe environment for the child. This can be accomplished by providing the child with the following:

Security

The child needs to feel safe. He/she needs to know that you can be trusted; that you will not touch without asking if it is okay; that you will not tell others about the abuse; that you will not embarrass him/her in front of others. Let the child know that he/she has a right to be safe and that you are an avenue for help. The child needs to know that you look forward to seeing him/her each day and that he/she BELONGS in your class.

Structure

Initially, structure will be the child's security. The child may need very clear instructions. It may mean you will have to say, "Pick up your pencil and begin with this work." Abused children will borrow from your strength and direction until they can mobilize on their own.

Identity

Give the child specific, positive information about him/herself. "You are someone who makes friends easily/¹ or "You are someone who really tries hard on difficult problems." Let the child express feelings, whether they are grief, fear, loss or relief, without offering advice.

Consistency and Predictability

The abused child may have experienced a great deal of upheaval in his/her family life. The child needs to be able to predict your behavior, and for you to be clear about your expectations. It is important to share information about new situations before they arise. In addition, it is important that the classroom teacher not tolerate inappropriate behavior. If the child exhibits violent or sexually aggressive behavior, the teacher should respond immediately as with any inappropriate behavior.

* Partially adapted from the Jefferson County Public School Child Abuse Prevention Training Packages, Lakewood, Colorado, 1984.

Sense of Belonging

Be sure the child's work is displayed, he/she has belongings in the room and a place to store them. The child should be seated where a feeling of inclusion is fostered. Reinforce the child's association with other children.

Intimacy in Appropriate Ways

Talk to the child, one on one, and share something about yourself; use direct eye contact. Unless your previous relationship with the child involved the use of touch, a good rule of thumb is to avoid touching the child. Touch, especially if unexpected, may cause a startled response or even a chain of flashbacks. When you have established a good relationship, ask the child if he/she minds a hand on his/her shoulder, and only with permission, touch the child occasionally.

Approval

Be certain to acknowledge the child with a nod, a wink, warmth in your voice, a note on his/her paper-however you feel most comfortable.

Enhancement of Positive Self-Concept

The child needs to know that he/she is valued, accepted and capable.

Support for the Family

The abused child still cares about and needs to believe in family. Respect and support the child's family. Family members may feel embarrassed, fearful and isolated. Their feelings and privacy should be respected.

Support in the School Environment

The classroom is not the appropriate place to address child abuse issues. Make sure the abused child has been introduced to the school counselor. He/she can be easily directed to the school counselor to discuss any feelings and not feel rejected by the teacher who may not have time to appropriately address these issues.

Responsibility

Children need to feel useful and important to a group/family. Give the child responsibilities/chores for the classroom to boost their self-esteem. Classroom responsibilities give the child some control over his/her environment.

Choices

Help the children identify ways they can make choices; once again helping the child to recognize they do have some choices.

Be Prepared

Think ahead of what you would do as a teacher if your student began to undress, touch themselves or touch other students in their private parts. Abused children, especially young children, can consciously and unconsciously re-enact the abuse for a variety of reasons. A teacher's calm, but direct approach to stopping the behavior without further embarrassing the child could be very helpful to the child's healing. It also reinforces to the child that you will keep him/her safe, along with the other students while they are in school.

Positive Reinforcements

This reinforces "choices" and once again helps the child gain control over their environment. Identify ways the child can earn tokens, stars, etc., with good behavior, chores or extra homework.

PROTECTING THE EDUCATOR

Protecting yourself From Being Falsely Accused of Abuse

Unfortunately, being accused of child abuse is a legitimate concern for educators. Although research indicates that child abuse by teachers is rare, the concern of parents and professionals about this issue will persist (Faller, 1988; Finkelhor, 1998).

The good news is that you can do many things to reduce the concern. Male teachers need to be particularly vigilant since statistics indicate that they are more likely to be accused of abuse (Saifer, 1990).

*Pro-Active Strategies for Avoiding False Allegations **

- ✓ During an in-service training on child abuse, it might be helpful to clarify the procedures used, the role of the program, and the insurance coverage available if a staff person is accused of abuse. If the policies seem unfair or inadequate to protect you or other staff if falsely accused of abuse, work with your co-workers to have the policies changed.
- ✓ Consider obtaining your own personal insurance policy. Contact your insurance agent, independent broker, or the National Association for the Education of Young Children (NAEYC), 1-800-424-2460, about such policies.
- ✓ Inform parents verbally and in writing about your policies and procedures to prevent abuse in your classroom.
- ✓ Inform parents about the facts: A child is less likely to be abused in school than by someone in his/her family. The number of teachers who are abusive is extremely small. (Finkelhor 1998).
- ✓ Inform parents concerning your professional background, including work history and education. Request that your supervisor inform parents that references are thoroughly checked on any staff member who is hired.
- ✓ Teach children to protect themselves from being abused. Do this by reading books, using curriculums designed for that purpose, using puppets, and doing role-plays. Let parents know that you are teaching this, as well as how and when you are doing it. Hold a meeting beforehand for any interested parents to discuss all the issues surrounding abuse prevention for children.
- ✓ Post the phone number of the Child Abuse Hotline in a prominent place.
- ✓ Make sure that all parents know that they are welcome to visit or participate in your classroom at any time. This open door policy assures parents that no harm can be done to their children behind their backs. Explain that for security purposes, most schools have a visitation policy requiring visitors to check in the office before being escorted to the classroom.

* Developed from Satfer (1990)

- ✓ Educate yourself about the signs and symptoms of abuse. Report abuse right away. (There have been a number of cases where a teacher has been charged with failure to report or that the teacher has been blamed for the abuse of a child that was done by someone else.)
- ✓ Make an official accident report of any injury a child has to the genital or anal area. Note that bruises caused by playground injuries can be misconstrued as abuse.
- ✓ Insist on having another person working with you at all times. Insist that your volunteer or assistant teacher never work alone with the group of children. Join with another teacher if you find yourself alone with only a few children (typically at the beginning or end of the day). Avoid being alone if at all possible or at least keep yourself visible to other staff. This will protect you and other staff from false accusations of abuse, as there will always be a witness, and will prevent anyone who works with you from committing an abusive act.
- ✓ As the majority of abusive incidents in child care programs and schools happen in the toileting area (Finkelhor 1988), make sure that this area is open and visible, that it cannot be locked, that adults do not go in there if this is not necessary, and that children stay out of adult bathrooms.
- ✓ Do not take children away from the school or after school program setting unless for a prearranged, approved field trip with permission from each parent. Do not take a child to an isolated, private area of the building.
- ✓ Work hard toward having positive, open, clear, and trusting communications with all your parents and other involved family members.
- ✓ If you are accused of child abuse, your actions will be greatly limited by what you are told to do by state authorities and your supervisor. During an investigation, you may be asked to take a leave with pay, be given office work, or have restrictions placed on you while at work. You can't be fired or forced to take an unpaid leave unless you are actually convicted of a crime or a supervisor witnessed the abuse.

Cultivating School and Interagency Partnerships

Suggestions for strengthening the working relationship between schools and local Departments of Human Services (DHS) and law enforcement agencies:

1. Request materials and information on reporting child abuse/neglect. Develop questions for DHS or law enforcement personnel when clarification is needed.
2. Get to know DHS child welfare workers and law enforcement officers. Set up a meeting with them so faces and names become familiar. Breakfast or lunch meetings are effective ways to accomplish this.
3. Invite a DHS and law enforcement representative to present at a school staff in-service training. Request that DHS and law enforcement share their procedures, emphasizing what, why, and how they investigate and the limitations that exist. Set realistic expectations about what DHS and law enforcement can and cannot do.
4. Share school personnel frustrations related to child abuse and neglect with DHS and law enforcement, asking for clarification and assistance with specific questions and concerns.
5. Listen to frustrations from DHS and law enforcement concerning schools and determine how to address these frustrations.
6. If a school employee has a complaint regarding the handling of a case, identify the proper DHS or law enforcement supervisory chain of command.
7. When developing or revising school policies and procedures on suspected child abuse/ neglect cases, request input from DHS and/or law enforcement officers.
8. Utilize documentation forms and reporting forms to assist DHS and law enforcement in concise information gathering about the child and/or the child's family or home environment.
9. Do not delay reporting a case of suspected child abuse/neglect. Cases reported at the end of the day or week can create a whole new set of problems (i.e. child is leaving to go home). The delay could result in further abuse of the child.
10. If, to your knowledge, DHS has not followed up with an investigation after a report has been made, contact the intake worker and request follow-up information. Recognize that some reports may be screened out by DHS.
11. Remember that clear communication between school personnel, DHS and law enforcement is the key to successful intervention. Do not hesitate to call on your local DHS and law enforcement representatives for advice, clarification or assistance.