

<p><b>TUCSON UNIFIED</b> SCHOOL DISTRICT</p> <p><b>GOVERNING BOARD POLICY</b></p>	<p><b>POLICY TITLE:</b></p> <p><b>Reporting Child Abuse/Child Protection</b></p>
	<p><b>POLICY CODE: JLF</b></p>

**Child Protection Act**

It is the policy of the Board/Administration that Tucson Unified School District will comply with the Child Protection Act.

Any school ~~official personnel~~ or ~~employee~~ any other person who has responsibility for the care or treatment of a minor and who reasonably believes that a minor is or has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which may reasonably result in abuse or neglect, shall immediately upon receiving such information ~~make a report to the appropriate authorities (See "Reporting" section below).~~ make a report to the appropriate authorities (See "Reporting" section below).

Minor, child, youth, or juvenile means an individual who is under the age of eighteen (18) years.

**Definition of Child Abuse and Neglect**

- Abuse means the infliction or allowing of physical injury, impairment of bodily function, or disfigurement, or the infliction of or allowing another person to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal, or untoward aggressive behavior, and which emotional damage is diagnosed by a medical doctor or psychologist pursuant to A.R.S. 8-821, and which is caused by the acts or omissions of an individual having care, custody, and control of a child.
- Physical abuse includes non-accidental physical injuries such as bruises, broken bones, burns, cuts or other injuries.
- Abuse shall include inflicting or allowing sexual abuse pursuant to A.R.S. 13-1404, sexual conduct with a minor pursuant to A.R.S. 13-1405, sexual assault pursuant to A.R.S. 13-1406, molestation of a child pursuant to A.R.S. 13-1410, commercial sexual exploitation of a minor pursuant to A.R.S. 13-3552, sexual exploitation of a minor pursuant to A.R.S. 13-3553, incest pursuant to A.R.S. 13-36087, or child prostitution pursuant to A.R.S. 13-3212.

- Neglect includes a denial or deprivation of necessary care of illness or injury. Neglect may also include leaving children unsupervised or alone, locked in or out of the house, or without adequate clothing, food, or shelter. Allowing children to live in unsanitary conditions which could be a health hazard may also be considered neglect.
- Emotional abuse of a child is evidenced by severe anxiety, depression, withdrawal or untoward aggressive behavior, as diagnosed by a medical doctor or psychologist, and caused by the acts or omissions of the parent, guardian or caretaker.
- Exploitation includes use of a child by a parent, guardian or caretaker for material gain.
- Abandonment includes the failure of the parent, guardian or caretaker to provide reasonable support and to maintain regular contact with the child, including providing normal supervision, when such failure is intentional and continues for an indefinite period.
- Abuses classified by statute as “reportable offenses” are:
  - Indecent exposure [A.R.S. 13-1402]
  - Public sexual indecency to a minor- [A.R.S. 13-1403]
  - Sexual abuse [A.R.S. 13-1404]
  - Sexual conduct with a minor [A.R.S. 13-1405]
  - Sexual assault [A.R.S. 13-1406]
  - Molestation of a child [A.R.S. 13-1410]
  - Furnishing items that are harmful to a child via the internet [A.R.S. 13-3506.01]
  - Surreptitious photographing, videotaping, filming, or digitally recording or viewing of a minor [A.R.S. 13-3019]
  - Incest [A.R.S. 13-3608]
  - Child prostitution [A.R.S. 13-3212]
  - Commercial sexual exploitation of a minor [A.R.S. 13-3552]
  - Sexual exploitation of a minor (concerning visual depiction of a minor engaged in exploitive exhibition or other sexual conduct) [A.R.S. 13-3553]
  - Luring a minor for sexual exploitation [A.R.S. 13-3554]
  - Admitting a minor to public displays of sexual conduct [A.R.S. 13-3558].

## Reporting

Any school personnel (including volunteers) official or any other person who has responsibility for the care or treatment of a minor employee shall immediately upon receiving information regarding child abuse or neglect, report or cause a report to be made of such information to a peace officer or to the Department of Child Safety

(DCS) (1-888-767-2445), of the Department of Economic Security, except if the report concerns a person who does not have care, custody, or control of the minor, the report shall be made to a peace officer only. Such reports shall be made immediately either electronically or by telephone..

Any person who is employed as the immediate or next higher-level supervisor to or administrator of a person who is statutorily required to report is not required to report if the supervisor or administrator reasonably believes that the report has been made by the person who is required to report.

The Arizona Department of Economic Security, Division of Children, Youth and Families, has determined that all mandated reporters may now electronically submit non-emergency reports via a secure online reporting website.

All reports made via the online website will *require the person making the report (reporting source) to provide contact information.* A representative from the Child Abuse Hotline may contact the source for additional information, if necessary. This process will make it more convenient to meet the mandated reporting requirements and help ensure child safety.

Non-emergency reports are those in which a child is not at immediate risk of abuse or neglect that could result in serious harm. Mandated reporters will be able to submit non-emergency reports twenty-four (24) hours a day without wait times.

All *emergency situations* where a child faces an immediate risk of abuse or neglect that could result in serious harm *must* still be reported by calling 911 or 1-888-SOS-CHILD (1-888-767-2445). If a reporting source is unsure as to whether or not the report is an emergency situation, the reporting source should call the Child Abuse Hotline to make a report.

Any concerns for the safety of a child due to abuse, neglect or abandonment, *must be reported*, by:

- Calling 1-888-SOS-CHILD (1-888-767-2445),
- TDD: 602-530-1831 (1-800-530-1831), or
- Submitting *non-emergency* concerns via the Online

Reporting Service at <https://dcs.az.gov/about/contacts>.

Pursuant to A.R.S. 13-3620, such reports shall contain, if known:

~~• Such reports shall be made immediately by telephone or in person.~~

~~• Reports shall contain:~~

A. The names and addresses of the minor, the parents, or the person or persons having custody of such minor, if known.

B. The minor's age and the nature and extent of the minor's abuse, child abuse, or physical injuries or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.

A.C. Any other information that such person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury or neglect.

~~A person who furnishes a report, information, or records required or authorized under Arizona Revised Statutes or a person who participates in a judicial or administrative proceeding or investigation resulting from a report, information or records required or authorized under Arizona Revised Statutes is immune from any civil or criminal liability by reason of that action unless such person has acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.~~

~~• A report is not required for sexual conduct between minors who are fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age when there is nothing to indicate that the conduct is other than consensual.~~

~~A person who fails to report abuse as provided in A.R.S. 13-3620 is guilty of a class 1 misdemeanor, except if the failure to report involves a reportable offense, the person is guilty of a class 6 felony.~~

### Exceptions

• A report is not required under A.R.S. 13-3620 for conduct prescribed by A.R.S. 13-1404 and 13-1405 if the conduct involves only minors who are fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and there is nothing to indicate that the conduct is other than consensual.

- A report is not required if a minor is of elementary school age, the physical injury occurs accidentally in the course of typical playground activity during a school day, occurs on the premises of the school that the minor attends and is reported to the legal parent or guardian of the minor and the school maintains a written record of the incident. The school will maintain a written record of the physical injury as part of the student's health file as required by Arizona State Library, Archives and Public Records (ASLAPR).

**Liability**

A person who furnishes a report, information, or records required or authorized under Arizona Revised Statutes or a person who participates in a judicial or administrative proceeding or investigation resulting from a report, information or records required or authorized under Arizona Revised Statutes is immune from any civil or criminal liability by reason of that action unless such person has acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.

A person who fails to report abuse as provided in A.R.S. 13-3620 is guilty of a class 1 misdemeanor, except if the failure to report involves a reportable offense, the person is guilty of a class 6 felony.

**Certificated Staff: Additional Duty to Report to ADE**

Any certificated person or Governing Board member who reasonably suspects or receives a reasonable allegation that a person certificated by the Department of Education has engaged in conduct involving minors that would be subject to the reporting requirements of A.R.S. 13-3620 shall report or cause reports to be made to the Department of Education in writing as soon as is reasonably practicable but not later than three (3) business days after the person first suspects or receives an allegation of the conduct.

**Written Report**

Any school employee who has orally reported to DCS or a peace officer a reasonable belief of an offense to a minor must provide written notification to the principal of the oral report not later than the next workday following the making of the report. See Exhibit JLF-E.

**Mandatory Training**

All District personnel (including volunteers) who work with students are required to obtain training and shall complete that training at least once every year (annually). The training must include the

following:

A. Training in mandatory reporting requirements;

B. Training in appropriate interactions with all parties to an abuse investigation;

C. Training in confidentiality requirements.

Adopted: December 14, 2004

Reviewed: March 6, 2013

Revision: October 14, 2014

Revised: \_\_\_\_\_

LEGAL REF:

A.R.S §§

8-201

8-821

13-1402

13-1403

13-1404 ~~et seq.~~

13-1405

13-1406

13-1410

13-3019

13-3212

13-3506

13-3506.01

13-3552

13-3553

13-3554

13-3558

13-3608

13-3619

13-3620

13-3623

15-514

46-451

46-454

CROSS REF.:

GBEB - Staff Conduct  
GBEBB - Staff Conduct with Students  
JKA - Corporal Punishment

JLF-Reporting Child Abuse/Child Protection - \_\_\_\_\_