**Policy JHG: REPORTING AND INVESTIGATING CHILD ABUSE AND NEGLECT** **Status:** ADOPTED

**Original Adopted Date:** 10/01/1989 **| Last Revised Date:** 09/01/2025 **| Last Reviewed Date:** 09/01/2025 December 18, 2025

The district and its board members and employees will take action to protect students and other children from harm including, but not limited to, abuse and neglect, and will respond immediately when discovering evidence of harm to a child. Board members and employees must cooperate fully with investigations of child abuse and neglect. The district prohibits discrimination, negative job action, or retaliation against any person who in good faith reports alleged child abuse or neglect, including alleged misconduct by another district employee.

Employees failing to follow the directives of this policy or state or federal law will be subject to discipline including, but not limited to, termination, and may be subject to criminal prosecution. Board members who fail to follow this policy and applicable law may be subject to adverse action by the board and criminal prosecution.

## Definitions

*Abuse* – Any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody, and control or by any other person, except that discipline, including spanking, shall not be construed as abuse if administered in a reasonable manner. Physical injury, sexual abuse, and emotional abuse are defined by the Children's Division (CD) of the Department of Social Services in 13 C.S.R. 35-31.010.

*Child* – Any person under 18 years of age.

*Mandated Reporter* – Employees, officials, school board members, and others with care, custody, and control of children in the district.

*Neglect* – The failure to provide, by those responsible for the care, custody and control of the child, the proper or necessary support; education as required by law; nutrition; or medical, surgical, or any other care necessary for the child's well-being, except that neglect shall not be found by virtue of the sole fact that a person allows a child to engage in independent activities without adult supervision including, but not limited to, traveling to or from school or nearby locations by bicycle or on foot, playing outdoors, or remaining at home for a reasonable period of time, provided such activities are appropriate based on the child's age, maturity, and physical and mental abilities and provided the lack of adult supervision does not constitute conduct that is so grossly negligent as to endanger the health or safety of the child.

*Sexual Misconduct* – Engaging in any conduct with a student, on or off district property, that constitutes the crime of sexual misconduct involving a child under § 566.083, RSMo.; sexual contact with a student under § 566.086, RSMo.; illegal sexual harassment as defined in policy AC, as determined by the district; or child abuse involving sexual behavior, as determined by the Children's Division (CD) of the Department of Social Services.

*Those Responsible for the Care, Custody, and Control of the Child* – Includes, but is not limited to, any person exercising supervision over a child for any part of a 24-hour day and school personnel, contractors, and volunteers who establish a relationship with a student through the school or through school-related activities, even if the alleged abuse or neglect occurred outside school hours or off school grounds.

## Public School District Liaison

The superintendent shall designate a specific person or persons to serve as the public school district liaison(s) and forward that information to the local division office of the CD. The liaison(s) shall develop protocols in conjunction with the chief investigator of the local division office to ensure information regarding the status of a child abuse or neglect investigation is shared with appropriate school personnel.

The liaison(s) will also serve on multidisciplinary teams used in providing protective or preventive social services along with law enforcement, the juvenile officer, the juvenile court, and other agencies, both public and private.

## Training

### *For Board Members*

Board members will participate in training on identifying signs of sexual abuse in children and danger signals of abusive relationships between children and adults as required by law.

### *For Employees*

The superintendent or designee shall implement annual training necessary to assist staff members in identifying possible instances of child abuse and neglect, including annual updates regarding any changes in the law. Such training shall:

1. Provide current and reliable information on identifying signs of sexual abuse in children and danger signals of potentially abusive relationships between children and adults.

2. Emphasize how to establish an atmosphere of trust so that students feel that their school has concerned adults with whom they feel comfortable discussing matters related to abuse.

3. Emphasize that all mandatory reporters shall, upon finding reasonable cause, directly and immediately report suspected child abuse or neglect. These reports must be made even if the person suspected of abusing the child is another mandated reporter, such as another school employee.

4. Emphasize that no supervisor or administrator may impede or inhibit any reporting under state law.

5. Emphasize that no person making a report in accordance with law shall be subject to any sanction, including any adverse employment action, for making such a report.

### *For Students*

In accordance with policy IGAEB, the district will provide trauma-informed, developmentally appropriate training to students in grades 6–12 on identifying and reporting sexual abuse.

## Reporting Child Abuse and Neglect

The board of education requires mandated reporters to comply with the state child abuse and neglect laws. Mandated reporters acting in their official capacities who know or have reasonable cause to suspect that a child has been subjected to abuse or neglect or is being subjected to conditions or circumstances that would reasonably result in abuse or neglect must directly and immediately make a report to the CD, including any report of excessive absences that may indicate educational neglect. No internal investigation shall be initiated until such a report has been made.

Mandated reporters who make such reports to the CD must notify the school principal or designee that a report has been made. The principal or designee will notify the superintendent or designee and the district liaison(s) about the report. The school principal or designee may also notify law enforcement or the juvenile office when appropriate. Mandated reporters who have reason to believe that a victim of abuse or neglect is a resident of another state or was injured as a result of an act that occurred in another state may make a report to the child protection agency with the authority to receive such reports, pursuant to law, in the other state in addition to notifying the Missouri CD pursuant to this policy.

Reporting requirements are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. Employees who make a report in accordance with law shall not be subject to any sanction, including any adverse employment action, for making such a report. Further, the superintendent and other district administrators shall ensure that employees mandated by law to make a report have immediate and unrestricted access to the communication technology necessary to make an immediate report. Employees shall also be temporarily relieved of other work duties for the time required to make a mandated report.

## Investigating Child Abuse and Neglect

The CD investigates reports of child abuse and neglect.

When the CD receives a child abuse report alleging that an employee of the district has abused a student, the CD will notify the superintendent (or the president of the school board in situations concerning the superintendent).

If the CD determines that a report of child abuse or neglect is unsubstantiated, the district or a district employee may request that the report be referred to the Office of Child Advocate for Children's Protection and Services for additional review.

## Information from the Children's Division

In accordance with law, as mandated reporters district employees reporting child abuse and neglect are entitled upon request to information on the general disposition of a report of child abuse or neglect and may receive findings and information concerning the case at the discretion of the CD. The CD will also notify the district when a student is under judicial custody or when a case is active regarding a student.

Any information received from the CD will be kept strictly confidential in accordance with law and will be shared only with district employees who need to know the information to appropriately

supervise the student or for intervention and counseling purposes. All written information received by any public school district liaison or the district shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). Information received from the CD will not be included in the student's permanent record.

## Immunity

In accordance with law, any person who in good faith reports child abuse or neglect; cooperates with the CD or any law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state in reporting or investigating child abuse or neglect; or participates in any judicial proceeding resulting from the report will be immune from civil or criminal liability.

Any person who is not an employee of the district and who in good faith reports to a district employee a case of alleged child abuse by any district employee will be immune from civil or criminal liability for making such a report or for participating in any judicial proceedings resulting from the report.

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Version JHG-C.1R (09/25)

Dent-Phelps R-III School District, Salem, Missouri

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**Policy Reference Disclaimer:**
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| State | Description |
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| § 160.261, RSMo. | State Statute |
| § 162.069, RSMo. | State Statute |
| § 162.203, RSMo. | State Statute |
| § 167.122, RSMo. | State Statute |
| § 167.123, RSMo. | State Statute |
| § 170.045, RSMo. | State Statute |
| § 210.865, RSMo. | State Statute |
| §§ 210.110-.165, RSMo. | State Statute |
| 13 C.S.R. 35-31.010 | State Regulation |

| Federal | Description |
|---|---|
| 20 U.S.C. § 1232g | Family Educational Rights and Privacy Act |

**Cross References**

| Code | Description |
|---|---|
| AC | PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION |

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| AC-AF(1) | PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - (Notice of Nondiscrimination) |
| AC-AF(2) | PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - (Grievance Form) |
| AC-AF(3) | PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - (Level I Grievance Report) |
| AC-AF(4) | PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - (Level II Grievance Report) |
| AC-AF(5) | PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - (Level III Grievance Report) |
| AC-AF(6) | PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION - (Appeal Form) |
| ACA | SEXUAL HARASSMENT UNDER TITLE IX |
| ACA-AF(1) | SEXUAL HARASSMENT UNDER TITLE IX - (Report of Sexual Harassment) |
| ACA-AF(2) | SEXUAL HARASSMENT UNDER TITLE IX - (Intake Form) |
| ACA-AF(3) | SEXUAL HARASSMENT UNDER TITLE IX - (Formal Complaint of Sexual Harassment under Title IX) |
| ACA-AF(4) | SEXUAL HARASSMENT UNDER TITLE IX - (Notice of Formal Complaint of Sexual Harassment) |
| ACA-AF(5) | SEXUAL HARASSMENT UNDER TITLE IX - (Determination of Responsibility) |
| ACA-AF(6) | SEXUAL HARASSMENT UNDER TITLE IX - (Notice of Dismissal of a Formal Complaint) |
| ACA-AF(7) | SEXUAL HARASSMENT UNDER TITLE IX - (Appeal of Determination of Responsibility) |
| ACA-AF(8) | SEXUAL HARASSMENT UNDER TITLE IX - (Notice of Appeal) |
| ACA-AF(9) | SEXUAL HARASSMENT UNDER TITLE IX - (Decision on Appeal) |
| BHA | BOARD TRAINING AND DEVELOPMENT |
| GBCBB | PROTECTED STAFF COMMUNICATIONS |
| GBCBB-AF(1) | PROTECTED STAFF COMMUNICATIONS - (Notice to Employees Section 105.055, RSMo.) |
| GBH | STAFF/STUDENT RELATIONS |

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| GBH-AF(1) | STAFF/STUDENT RELATIONS - (Parent/Guardian Notice of Electronic Communications with Students) |
| GBLB | REFERENCES |
| GBLB-AF(1) | REFERENCES - (Authorization to Provide Employment Information) |
| GBLB-AF(2) | REFERENCES - (Notice of Disclosure of Allegations of Sexual Misconduct with a Student) |
| GCPB | RESIGNATION OF PROFESSIONAL STAFF MEMBERS |
| GCPB-AF(1) | RESIGNATION OF PROFESSIONAL STAFF MEMBERS - (Checklist Following Termination or Resignation of Employment) |
| GCPD | SUSPENSION OF PROFESSIONAL STAFF MEMBERS |
| GCPE | TERMINATION OF PROFESSIONAL STAFF MEMBERS |
| GCPF | RENEWAL OF PROFESSIONAL STAFF MEMBERS |
| GDPB-1 | RESIGNATION OF SUPPORT STAFF MEMBERS |
| GDPB-1-AF(1) | RESIGNATION OF SUPPORT STAFF MEMBERS - (Checklist Following Termination or Resignation of Employment) |
| GDPB-2 | RESIGNATION OF SUPPORT STAFF MEMBERS |
| GDPD | SUSPENSION OF SUPPORT STAFF MEMBERS |
| GDPE | NONRENEWAL AND TERMINATION OF SUPPORT STAFF MEMBERS |
| IGAEB | SEXUAL HEALTH INSTRUCTION |
| IGAEB-AF(1) | SEXUAL HEALTH INSTRUCTION - (Provider Affirmation) |