

STATE COLLEGE
 AREA
 SCHOOL DISTRICT

SECTION: OPERATIONS
 TITLE: CHILD/STUDENT ABUSE
 ADOPTED: March 22, 1999
 REVISED: September 10, 2012

<p>1.Purpose 23 Pa. CSA 6301</p> <p>2.Definition</p>	<p style="text-align: center;">806. CHILD/STUDENT ABUSE</p> <p>It is the purpose of this policy to encourage more complete reporting of suspected child abuse, as required by the Child Protective Services Law, 23 Pa.C.S.A. Section 6301 et seq., and as expanded by this policy.</p> <p>Administrator - The person or persons responsible for the administration of a program, building, or the District as a whole.</p> <p>Applicant - An individual who applies for a position as a school employee. The term includes an individual who transfers from one position as a school employee to another position as a school employee.</p> <p>Child Abuse - The term child abuse shall mean any of the following:</p> <ol style="list-style-type: none"> 1. Any recent act or failure to act by a perpetrator that causes non-accidental serious physical injury to a child less than eighteen (18) years of age. 2. Any act or failure to act by a perpetrator that causes non-accidental serious mental injury to or sexual abuse or sexual exploitation of a child less than eighteen (18) years of age. 3. Any recent act, failure to act, or series of such acts or failures to act by a perpetrator that creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under eighteen (18) years of age. 4. Serious physical neglect – endangers the child’s life or development, or impairs the child’s functioning. It must arise from: prolonged or repeated lack of supervision, or failure to provide the essentials of life, including adequate medical care. <p>No child shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the child's welfare, such as inadequate housing, furnishings, income, clothing, and medical care.</p>
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County agency - The county children and youth social service agency, or its successor.

Mandated reporter - Persons who come into contact with children and/or students who are required by statute to file a report.

Perpetrator - A person who has committed child abuse and is a parent of a child, a person responsible for the welfare of a child, an individual residing in the same home as a child or a paramour of a child's parent.

School affiliated reporter - Persons who are volunteers, interns, coaches, advisors, or others with the District, come into contact with students in such roles, but who are not statutory mandated reporters.

School Employee - A individual employed by District. The term includes an independent contractor and employees. The term excludes an individual who has no direct contact with students.

Serious Bodily Injury - Bodily injury that creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of function of any bodily member or organ.

Serious Mental Injury - A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or
2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Serious Physical Injury - An injury causing a child severe pain, or significantly impairs a child's physical functioning, either temporarily or permanently.

Sexual abuse or exploitation - Any of the following:

- (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct.
- (2) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in simulation of sexually explicit conduct for the purpose of producing visual depiction, including photographing, videotaping, computer depicting and filming.
- (3) Any of the following offenses committed against a child:

<p>3.Guidelines</p> <p>23 Pa. C.S.A. Section 6311</p>	<ul style="list-style-type: none"> (i) Rape. (ii) Sexual assault. (iii) Involuntary deviate sexual intercourse. (iv) Aggravated indecent assault. (v) Molestation. (vi) Incest. (vii) Indecent exposure. (viii) Prostitution. (ix) Sexual abuse. (x) Sexual exploitation. <p>Student - An individual enrolled in a public or private school, intermediate unit, or area vocational/technical school who is under eighteen (18) years of age.</p> <p>Persons required to report suspected child abuse:</p> <p>(a) General rule.--A person who, in the course of employment, occupation or practice of a profession, comes into contact with children shall report or cause a report to be made in accordance with Section 6313 (relating to reporting procedure) when the person has reasonable cause to suspect, on the basis of medical, professional or other training and experience, that a child under the care, supervision, guidance or training of that person and/or the District is a victim of child abuse, including child abuse by an individual who is not a perpetrator. Except with respect to confidential communications made to a member of the clergy which are protected under 42 Pa.C.S.A. Section 5943 (relating to confidential communications to clergymen), and except with respect to confidential communications made to an attorney which are protected by 42 Pa.C.S.A. Section 5916 (relating to confidential communications to attorney) or 5928 (relating to confidential communications to attorney), the privileged communication between any professional person required to report and the patient or client of that person shall not apply to situations involving child abuse and shall not constitute grounds for failure to report as required by this policy.</p> <p>(b) Enumeration of persons required by statute and this policy to report. Persons required to report under subsection (a) include, but are not limited to, any licensed physician, osteopath, medical examiner, coroner, funeral director, dentist, optometrist, chiropractor, podiatrist, intern, registered nurse, licensed practical nurse, hospital personnel engaged in the admission, examination, care or treatment of persons, Christian Science practitioner, member of the clergy, school administrator, school teacher, school nurse, social services worker, day-care center worker or any other child-care or foster-care worker, mental health professional, peace officer or law enforcement official.</p> <p>(c) Enumeration of others required by this policy to report. In addition to persons</p>
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enumerated above in subsection (b), all other District employees and affiliates are required to report pursuant to the requirements of subsection (a).

(d) Staff members of institutions, etc.--Whenever a person is required to report under subsections (b) or (c) in the capacity as a member of the District, that person shall immediately notify the person in program, building, or District or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall assume the responsibility and have the legal obligation to report or cause a report to be made in accordance with Section 6313. This chapter does not require more than one report from any District.

The Administration is directed to provide periodic inservice and other training and notices to ensure that all statutory mandated and other reporters mandated by this policy to report are aware of this policy, to include in particular their obligation to report, to whom to report, and the means by which to report.