

**BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT**

**REGULATION No. 1020
ALL STAFF**

PROTOCOL IN SUSPECTED CASES OF CHILD ABUSE OR NEGLECT

1. OBJECTIVES

- a.) Provide school personnel guidance for effective and efficient reporting of suspected child abuse and neglect.
- b.) Facilitate communication, coordination, and cooperation between school personnel and other community resources on behalf of abused/neglected schoolchildren.

2. DEFINITIONS

- a.) NRS 432B.020 defines abuse or neglect of a child as follows:

- 1. "Abuse or neglect of a child" means, except as otherwise provided in subsection 2:

- (a) Physical or mental injury of a non-accidental nature;
- (b) Sexual abuse or sexual exploitation; or
- (c) Negligent treatment or maltreatment as set forth in NRS 432B.140,

→ of a child caused or allowed by a person responsible for the welfare of the child under circumstances which indicate that the child's health or welfare is harmed or threatened with harm.

- 2. A child is not abused or neglected, nor is the health or welfare of the child harmed or threatened for the sole reason that:

- (a) The parent of the child delivers the child to a provider of emergency services pursuant to NRS 432B.630, if the parent complies with the requirements of paragraph (a), Subsection 3 of that section; or
- (b) The parent or guardian of the child, in good faith, selects and depends upon non-medical remedial treatment for such child, if such treatment is recognized and permitted under the laws of this State in lieu of medical treatment. This paragraph does not limit the court in ensuring that a child receive a medical examination and treatment pursuant to NRS 62E.280.

- 3. As used in this section, "allow" means to do nothing to prevent or stop the abuse or neglect of a child in circumstances where the person knows or has reason to know that a child is abused or neglected.

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- b.) NRS 432B.150 states that “excessive corporal punishment may result in physical or mental injury constituting abuse or neglect of a child.”
- c.) NRS 432B.121 defines when a person has “reasonable cause to believe” and when a person acts “as soon as reasonably practicable” as follows:
 - 1. A person has “reasonable cause to believe” if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred.
 - 2. A person acts “as soon as reasonably practicable” if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would act within approximately the same period under those facts and circumstances.
- d.) For purposes of this Regulation, “a person responsible for the welfare of the child” includes, but is not limited to, District employees, contractors, and volunteers.

See Appendix 1 for additional definitions of physical injury, sexual abuse, sexual exploitation, negligent treatment or maltreatment, mental injury, luring, sexual conduct, and luring.

3. REPORTING SUSPECTED ABUSE OR NEGLECT

- a.) NRS 432B.220 requires that a person employed (as an employee or contractor) by a public school, and a person who serves as a volunteer at such a school, whether such person is licensed or not, who, in his or her professional, occupational or volunteer capacity, knows or has reasonable cause to believe that a child has been abused or neglected shall report the matter as soon as reasonably practicable, but not later than 24 hours after the person knows or has reasonable cause to believe that the child has been abused or neglected. The report shall be made to the Carson City Sheriff’s Office (“CCSO”) or the Carson City Office of the Nevada Division of Family Services (“DCFS”), as more fully set out below.

NRS 432B.160 generally confers immunity from civil or criminal liability to persons who in good faith, among other things, make reports.

- b.) The report will include the following information, if obtainable:
 - i. The name, address, age and sex of the child, and the school in which the child is enrolled;
 - ii. The name and address of the child’s parents or other person responsible for the care of the child;

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- iii. The nature and extent of the abuse or neglect of the child, or the sexual conduct, luring, or corporal punishment to which the child was subjected, and in the case of newborn infants, the effect of parental illegal substance abuse on the newborn infant or the nature of the withdrawal symptoms resulting from the prenatal drug exposure of the newborn infant;
 - iv. Any evidence of previously known or suspected:
 - a. Abuse or neglect of the child or the child's siblings; or
 - b. In the case of newborn infants, effects of prenatal illegal substance abuse on or evidence of withdrawal symptoms resulting from prenatal drug exposure of the newborn infant;
 - v. The name, address, and relationship, if known, of the person who is alleged to have abused or neglected, or who engaged in sexual conduct with the child; and
 - vi. Any other information known to the person making the report that the agency which provides child and welfare services considers necessary. (See generally, NRS 432B.230.)
- c.) In the case of suspected abuse or neglect involving an act or omission of a person directly responsible or serving as a volunteer or an employee of a public or private home, institution, or facility where the child is receiving care outside of his or her home for a portion of the day, the report will be made to the CCSO.
- In the case of suspected abuse or neglect involving child welfare services or a law enforcement agency, the report shall be made to an agency other than the one alleged to have committed the act or omission.
- In the case of suspected abuse or neglect, including sexual conduct in violation of NRS 201.540, or luring in violation of NRS 201.560, by another employee or volunteer of a school, the report shall be made to DCFS and the CCSO.
- In the case of suspected corporal punishment in violation of NRS 392.4633 or 394.366 by an employee or volunteer of a school, the report should be made to DCFS.
- d.) In addition to the report required in Section 3.c., above, a report will be made to the site principal.
- e.) If the child resides on Tribal Land (such as the Carson City Indian Colony), in addition to the report required by Section 3.c., above, a report will be made to the Washoe Tribe Department of Social Services or Washoe Tribal Police.

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4. SCHOOL PERSONNEL PROCEDURES

a) Any staff member, contractor or volunteer who suspects child abuse or neglect will:

- (1) Gather information needed for the report.
- (2) Telephone the appropriate agency to make the report as soon as practicable. A listing of telephone numbers and addresses is included in the attached Appendix 2. The Appendix will be updated from time to time as contact information changes. Additionally, in compliance with NRS 432B.200 and NRS 392.385, a poster featuring toll-free numbers and electronic contact information for a hot line is posted in each school.
- (3) Obtain Case Number from the agency to which the report is made. In instances in which law enforcement or others seek to interview the child, the site principal should remain with the child during the interview. The principal should also remain with the child while the officer or investigator interviews the non-offending parent or guardian.
- (4) Mandatory reporters are expected to follow up with a written report to the appropriate agency as soon as reasonably practicable following the report made by telephone. See Appendix 3 for the DCFS and local law enforcement reporting form, and Appendix 4 for the Washoe Tribe of Nevada and California guidance on making a report, which includes its reporting form. A copy of the written report should be provided to the site principal.
- (5) Due to the nature of their positions, school counselors, social workers, psychologists, and nurses may be able to assist in making the required reports. Such assistance should be provided only with the knowledge and consent of the site principal.
- (6) All school personnel have a responsibility to treat with confidentiality any report of abuse or neglect. School personnel also have a responsibility to respect the confidential and sensitive nature of a visit from an agency worker to the school and to make every effort to protect the identity of the child and the nature of the concern. When a student is interviewed in a school, school personnel shall act in a sensitive manner to avoid additional discomfort for the student.
- (7) Failure to report when required to do so, and failure to observe the requirements of confidentiality required by law could result in criminal charges and disciplinary action against employees (including contractors) and volunteers.

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- (8) If the mandated reporter has reasonable suspicion that the child will be endangered upon the child's return home school that day, the mandated reporter will share this concern with DCFS, the CCSO, or the Washoe Tribal Police or Washoe Tribe Department of Social Services, if applicable for possible expedited review.

5. FOLLOW-UP INFORMATION

- a.) The site principal will act as the liaison for the school about what is being done for the child. If school personnel continue to be concerned that a child is being abused or neglected after a report has been made, the site principal may refer the case to the Carson City Multi-Disciplinary Team.
- b.) The site principal should be present at any interview with a child by a person from an outside agency. This applies to initial as well as follow-up interviews that occur in the school.

NRS: See Appendix A

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