

Child Abuse and Neglect



Intent Statement

This policy was developed to assist child care providers by providing guidelines for the detection and reporting of suspected cases of child abuse or neglect.

Procedure and Practice

Any and all suspected cases of child abuse or neglect will be reported immediately to the Department for Community Based Services or the child abuse hotline without repercussion to any staff member. We follow Kentucky laws for reporting child abuse and neglect. Those who work with children are legally required to report abuse and/or neglect and cannot shift the responsibility of reporting to anyone else.

Known and suspected cases of abuse and/or neglect are reported to the **Child Protection Hot Line (1-877-597-2331)** or to the **Protection and Permanency** office of the county in which the child resides. The following link provides a local Protection and Permanency office search by county: <http://chfs.ky.gov/dcbs/serviceregions.htm>

Staff members accused of child abuse may be suspended or given leave pending investigation of accusation.

Suspicious that a child is in immediate danger will be reported to 911.

What to report:

- A report should contain enough information to identify the child involved, any persons responsible for the abuse or neglect (if known), and the nature and extent of the maltreatment
- Include a word-for-word account, without editing, of what the child said and who was present when the child revealed the abuse
- Record the child's emotional state, gestures, and facial expressions and what was happening at the time the child revealed the abuse
- The report should also include a careful description of the size, shape, color, location and drainage of any obvious, physical injury, and, if necessary, a drawing describing the injury

Pediatric Abusive Head Trauma

House Bill 285 requires all child care professionals receive 1.5 clock hours cabinet-approved pediatric abusive head trauma training in accordance with KRS 199.896 (16), every five years.

Relevant Kentucky Revised Statutes

KRS 600.020 (1): Introductory Matters: Definitions

“Abused or neglected child” means a child whose health or welfare is harmed or threatened with harm by his parent, guardian, or other person exercising custodial control or supervision of the child.

KRS 620.010: Legislative purpose

Children have certain fundamental rights which must be protected and preserved. These include but are not limited to, the rights to adequate food, clothing and shelter; the right to be free from physical, sexual or emotional injury or exploitation; the right to develop physically, mentally, and emotionally to their potential; and the right to educational instruction and the right to a secure, stable family.

KRS 620.030: Duty to report dependency, neglect, or abuse

A child has a fundamental right to be safe and to be nurtured. Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately make a report to the local law enforcement agency or the Department of Kentucky State Police. The following persons are required to submit a more detailed report, including but not limited to: teacher, school personnel, child caring personnel, etc. Any supervisor who receives information from an employee report shall promptly make a report to the proper authorities for investigation. Reports will be assessed and investigated. Social services provided to children experiencing maltreatment.

KRS 620.990 (1): Penalty

Anyone that does not report child abuse or neglect may be charged with a Class B misdemeanor, which could result in a \$250.00 fine and/or up to three months in jail.

Definitions of Abuse

Physical abuse

This is infliction of injury, other than by accidental means, on a child by another person. Forms of physical abuse may be: hitting, biting, kicking, beating, shoving, burning, pulling of hair, or other non-accidental methods of causing bodily harm to a child would be covered under this definition.

Sexual abuse

Refers to sexual assault or exploitation of a minor by an adult, or between two children when one of the children is significantly older or there is a significant power differential between the children, or when coercion is used. Often included in this definition is touching of the breast, genitals, or buttocks of a child, penetration of the anus or vagina with an object, fellatio (oral sex on a male), cunnilingus (oral sex on a female), prostitution, exploitation or involvement of child in pornography.

Neglect

This is failure of a caregiver or custodian of a child to provide adequate care and protection for the child. Neglect may involve failure to provide sufficient food, shelter, medical care, clothing, or supervision to a child. Educational neglect may fall under this category.

Psychological or emotional abuse

This occurs when an adult conveys to a child that the child is endangered, unsafe, worthless, unwanted, or damaged. It may include verbal threats, terrorization, isolation, or frequent berating of a child by the adult.

Applicable

This policy applies to all staff, substitute staff, parents and volunteers in the child care setting.

Communication

Staff and volunteers will receive a written copy of this policy in their orientation packets before beginning work at this facility. All parents will receive a written copy of this policy in the parent handbook. A copy of this policy will be posted on the parent bulletin board in each classroom. Staff, parents, and volunteers will receive written notification of any updates.

References

American Academy of Pediatrics, American Public Health Association, National Resource Center for Health and Safety in Child Care and Early Education. 2011. *Caring for our children: National health and safety performance standards; Guidelines for early care and education programs. 3rd edition.* Elk Grove Village, IL: American Academy of Pediatrics; Washington, DC: American Public Health Association. Also available at <http://nrckids.org>

Kentucky Cabinet for Health and Family Services. Preventing Child Abuse and Neglect Booklet. <http://www.chfs.ky.gov/NR/rdonlyres/0984FD14-A494-4055-9C10-98CDD433F8C9/0/ChildAbuseandNeglectBooklet.pdf>

Kentucky Cabinet for Health and Family Services, Division of Child Care
922 KAR 2:120. Child-care center health and safety standards.
<http://chfs.ky.gov/dcbs/dcc/regul.htm>

Kentucky Legislature. Kentucky Revised Statutes. <http://www.lrc.ky.gov/krs/titles.htm>

Gimpel, Gretchen A, & Holland, Melissa L (2003). *Emotional and Behavioral Problems of Young Children.* (6, 147-160). New York/London: The Guilford Press.

Kentucky Cabinet for Health and Family Services, Department for Community Based Services, Division of Service Regions <http://chfs.ky.gov/dcbs/serviceregions.htm>

Reviewed by:

Director/Owner

Board Member

CCHC/Health Professional

Staff Member

Parent/Guardian

Effective Date/Review Date

This policy is effective immediately. It will be reviewed yearly by the center director.