

PROFESSIONAL DEVELOPMENT AND REPORTING OF CHILD ABUSE/NEGLECT POLICY

The Board of Education (“Board”) of the Virtual Preparatory Academy of Oklahoma (“VPA” or “School”) adopts this policy regarding the required professional development and reporting of child abuse / neglect consistent with the applicable laws. Oklahoma law requires every person having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect to promptly report to the Department of Human Services (DHS). Reports shall be made to the Department of Human Services Hotline.

I. Professional Development.

The Board hereby requires that each first year certified teacher and once every fifth academic year thereafter completes a professional development program that provides the following: (1) training on recognition of child abuse and neglect; (2) recognition of child sexual abuse; (3) proper reporting of suspected abuse; and (4) information concerning available resources.

II. Abuse Prevention Instructional Program for Students.

The Board hereby authorizes the School to establish or to make available to students an abuse-prevention instructional program. The content of the instruction shall conform with applicable law and shall:

1. Provide developmental and age-appropriate curriculum to teach children risk-reduction strategies including, but not limited to: a. how to identify dangerous situations, b. personal boundary violations, c. how to refuse approaches and invitations, d. how to summon help, and e. what to do if abuse occurs;
2. Be offered annually to reinforce and build on skills learned the previous year;
3. Involve students as active learning participants;
4. Have the capacity to be delivered by a wide range of personnel including teachers, school counselors, prevention agency educators, and other professionals;
5. Include evidence-informed curriculum;
6. Include an evaluation component that utilizes a pre- and post-program surveys or testing of the students to measure the acquisition of the lessons taught;
7. Provide instruction that is culturally sensitive and adaptable; and
8. Encourage parental involvement within the abuse prevention program to include, but not be limited to, information on child abuse prevention, risk-reduction techniques, abuse reporting, and support service availability.

Pursuant to the Parents' Bill of Rights, Section 2001 et seq. of Title 25 of the Oklahoma Statutes, no student shall be required to participate in an abuse-prevention instructional program. Failure of a student to participate shall not, by itself, be grounds for a referral to DHS.

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III. Reporting of Child Abuse / Neglect.

Any person, who knowingly and willfully fails to promptly report suspected child abuse or neglect or who interferes with the prompt reporting of suspected child abuse or neglect may be reported to local law enforcement for criminal investigation and, upon conviction, shall be guilty of a misdemeanor.

Any person with prolonged knowledge of ongoing child abuse or neglect, who knowingly and willfully fails to promptly report such knowledge may be reported to local law enforcement for criminal investigation and, upon conviction, shall be guilty of a felony. "Prolonged knowledge" shall mean knowledge of at least six (6) months of child abuse or neglect.

Any person who knowingly and willfully makes a false report or a report that the person knows lacks factual foundation may be reported to local law enforcement for criminal investigation and, upon conviction, shall be guilty of a misdemeanor. Any person who, in good faith and exercising due care, reports suspected child abuse or neglect, or who allows access to a child by persons authorized to investigate a report concerning the child shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report.

The following definitions give guidance on what constitutes child abuse or neglect:

“Abuse” – harm or threatened harm to a child’s health, safety or welfare by a person responsible for the child’s health, safety or welfare including sexual abuse and sexual exploitation;

“Harm or threatened harm to a child’s health or safety” includes, but is not limited to:

- a. nonaccidental physical or mental injury,
- b. sexual abuse,
- c. sexual exploitation,
- d. neglect,
- e. failure or omission to provide protection from harm or threatened harm, or
- f. abandonment;

“Neglect” means failure or omission to provide:

- a. adequate food, clothing, shelter, medical care, and supervision,
- b. special care made necessary by the physical or mental condition of the child, or
- c. abandonment;

“Sexual abuse” includes, but is not limited to, rape, incest and lewd or indecent acts or proposals made to a child, as defined by law, by a person responsible for child’s health, safety, or welfare;

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“Sexual exploitation” includes, but is not limited to, allowing, permitting, or encouraging a child to engage in prostitution, as defined by law, by a person responsible for the child’s health, safety or welfare or allowing, permitting, encouraging, or engaging in the lewd, obscene, or pornographic photographing, filming, or depicting of a child in those acts as defined by the state law, by a person responsible for the child’s health, safety, or welfare.

The reporting obligations are individual, and no employer, supervisor, or administrator shall impede or inhibit the reporting obligations of any employee or other person. No employer, supervisor or administrator of any employee or other person required to provide information can discharge this responsibility, discriminate, or retaliate against, the employee or other person who in good faith provides such child abuse reports or information, testifies, or is about to testify in any proceeding involving child abuse or neglect; provided that the person did not perpetrate or inflict such abuse or neglect. Any employer, supervisor or administrator who discharges, discriminates, or retaliates against the employee or other person shall be liable for damages, costs, and attorney fees. The School requires every employee who reports child abuse/neglect to DHS to immediately thereafter advise the principal, the principal’s supervisor, or the Chair of the Board.

To facilitate the reporting process, upon receiving notification by the School employee, who made the original report to DHS, of any suspected case of child abuse or neglect, regardless of the identity of the alleged abuser, the principal will immediately call the school nurse to assess the child. If the school nurse is not on site, the school nurse should be paged. If the School does not have a school nurse, the Superintendent will designate a person to conduct the assessment. If the evidence appears to confirm the suspicion and if the employee reporting has not called the DHS Hotline, the principal or designee will immediately phone the DHS Hotline and also the dispatcher at the local Police Department. The principal or designee will complete a child abuse report, giving all pertinent details regarding the case. The report will be signed by the principal and any other employee involved.

If the employee making the initial report to DHS does not have a principal or principal’s designee to whom to report, the employee will make the report to the employee’s immediate supervisor. The employee’s immediate supervisor will promptly forward the completed abuse report to the child’s principal or designee.

The principal or designee will arrange the interview in a manner that minimizes embarrassment to the child. The principal will not contact the parent/guardian or other person responsible for the child’s health or welfare before the interview. School employees will not be present during the interview. The Principal will retain the original completed abuse report form and send the remaining copies to any other appropriate and required governmental authorities. Reports of sexual abuse will be secured, remain confidential and be destroyed as required by applicable law.

ADOPTED: _____

**LEGAL REFERENCE: 70 O.S. SECTION 6-194; 70 O.S. SECTION 1210.160;
10A O.S. SECTION 1-2-101; OAC 210:35-3-107.**