

REPORTING CHILD ABUSE AND CHILD PROTECTION

FILE: JLF

TITLE: Reporting Child Abuse, Abandonment, and Neglect

POLICY:

All school personnel shall comply with the provisions of Chapters 39 and 1006, Florida Statutes, in the reporting and investigation of child abuse, abandonment and/or neglect. All employees of the School Board of Orange County, Florida ("Board") shall report all suspected child abuse, abandonment, and/or neglect in the prescribed manner:

- (1) School personnel shall immediately report suspected child abuse, abandonment, and/or neglect, to the Department of Children and Families ("DCF") by calling the twenty-four (24) hour, toll-free DCF central abuse hotline at 1-800-96-ABUSE or by reporting through DCF's online portal located at myflfamilies.com.
- (2) School personnel shall notify the appropriate law enforcement agency, which may include the School Resource Officer, if the reporter is not transferred to the responding law enforcement agency by DCF.
- (3) The person suspecting the abuse, abandonment and/or neglect shall make the report. The OCPS employee's supervisor must also be informed following the telephoned or online report, and report to law enforcement.
- (4) Reports involving a child who has exhibited inappropriate sexual behavior shall be made to the central abuse hotline.
- (5) Conclusive proof of child abuse, abandonment, and/or neglect shall not be required in making a report.
- (6) School personnel reporting in good faith any instance of child abuse, abandonment, and/or neglect to DCF or any law enforcement agency, shall be immune from civil or criminal liability resulting from reporting activity per Florida Statutes.
- (7) School personnel making a report to the central abuse hotline are required to provide his/her name to the central abuse hotline counselor. The name of the reporter is confidential and exempt from public disclosure per Chapter 39, Florida Statutes.

SPECIFIC AUTHORITY: Sections 39.0014; 39.201; 39.202; 39.203; 39.303; 1006.061, Florida Statutes

TITLE: Child Protection Interviews and Protective Custody

POLICY:

- (1) If a DCF agent or law enforcement officer (“officer”) requests to interview the child during school hours, the principal or designee shall be immediately notified and the following shall be conducted before the interview with the child:
 - (a) The principal or designee shall request to see the DCF agent’s or officer’s official agency-issued identification and any court documentation, if applicable;
 - (b) The DCF agent or officer shall be brought to a private area to avoid any disruptions;
 - (c) The principal or designee shall contact the supervisor of the DCF agent or officer and confirm his/her authority and assignment to the child; and
 - (d) The principal or designee shall request a business card from the DCF agent or officer and ask if the parent/legal guardian can be contacted before the interview begins.
 - (i) If the DCF agent or officer allows the parent/legal guardian to be contacted before the interview begins, the principal or designee shall make a reasonable attempt to notify the parent/legal guardian immediately.
 - (ii) If the DCF agent or officer does not allow the parent/legal guardian to be contacted before the interview begins, the principal or designee shall request the DCF agent or officer to provide a written statement denying the request. If the DCF agent or officer refuses to provide a written statement, the principal or designee and one additional staff member shall acknowledge the refusal in writing and contact the parent/legal guardian as soon as the DCF agent or officer has concluded his/her business.
- (2) School personnel may be asked to assist with an investigation during school hours by providing access to the child, access to the child’s educational records, or by being present during the initial interview of the student. Chapter 39, Florida Statutes provide that a school staff member who is known by the child may be present during the initial interview of a child protective or criminal investigation when the interview is conducted at school under the following conditions:
 - (a) DCF or the law enforcement agency believes the presence of the staff member could enhance the success of the interview;
 - (b) The child requests or consents to that staff member’s presence at the

interview; and/or

- (c) The only exception is if a protective order of the court has been issued and made available to the principal or designee. Such a protective order shall clearly state that school personnel do not have the right to be present during the interview.

Information received during the interview or from any other source regarding the alleged abuse, abandonment, and/or neglect of the child is confidential and exempt from public disclosure, except as otherwise provided by court order. A separate record of the investigation of the abuse, abandonment, and/or neglect, may not be maintained by the school or school staff member.

- (3) An officer or an authorized agent of DCF may take the child into protective custody without consent or knowledge of the parent/legal guardian as provided by Florida Statutes. The principal or designee shall notify the parent/legal guardian that the child has been taken into custody by DCF or law enforcement and out of the custody of school officials, except when the officer or DCF agent requests that the parent/legal guardian not be notified.
 - (a) If the DCF agent or officer allows the principal or designee to notify the parent/legal guardian before the child is taken into protective custody, the principal or designee shall make a reasonable attempt to notify the parent/legal guardian immediately.
 - (b) If the DCF agent or officer requests the parent/legal guardian not be notified, then the principal or designee shall request the DCF agent or officer to provide a written statement denying the request. If the DCF agent or officer refuses to provide a written statement, the principal or designee and one additional staff member shall acknowledge the refusal in writing and contact the parent/legal guardian as soon as the DCF agent or officer has concluded his/her business.
 - (c) The agent or officer taking a child into protective custody also has the responsibility for notifying the parent/legal guardian that the child has been taken into protective custody.

SPECIFIC AUTHORITY: Sections 39.0014; 39.301; 39.303, Florida Statutes

TITLE: Institutional Abuse

POLICY:

Suspected abuse, abandonment, and/or neglect of students by school personnel shall be reported as provided in the relevant Management Directive. The suspected abuse, abandonment, and/or neglect of students by school personnel shall be reported to law enforcement.

SPECIFIC AUTHORITY: Sections 39.201; 1001.54; 1012.22; 1012.27; 1012.28, Florida Statutes

ADOPTED: 11/17/08

REVISED: 5/23/17; 6/14/2022