



CHILD ABUSE

*What School
Employees Need
to Know*



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This Arizona Education Association booklet offers practical information for school employees who suspect child abuse and for school employees facing false accusations of abuse. You and your local association can work together to make schools safer for both children and employees. AEA members should ask their local Association and AEA Organizational Consultant for additional information and friendly support in coping with child abuse issues. AEA members can also go to www.arizonaaea.org/helpdesk.



arizonaaea.org/helpdesk
(877) 828-1983



PART ONE

Reporting Child Abuse and Neglect

Learning Points

- You are a mandatory reporter.
- You only need a “reasonable belief” that some kind of child abuse happened to trigger your obligation to report.
- It is a crime not to report.
- You can be sued for not reporting if the abuser does it again.
- You would have to tell an outright lie to be prosecuted for a false report.
- When in doubt, report.

Background Information

How big a problem is this in Arizona? It is serious.

See: <http://azchildren.org/fact-sheets/child-abuse-and-neglect> and <https://www.raisingarizonakids.com/?s=abuse>

One in four women and one in six men were sexually abused as children according to *Childhelp.org*, an international agency devoted to the prevention of child abuse and neglect.

Reporting Child Abuse or Neglect

All school employees are mandatory reporters.

You must report to both:

1. Arizona Department of Child Safety (DCS)
Go to <https://dcs.az.gov/report-child-abuse> on the Internet for all details, including online reporting.
2. Your Administration: School Coordinator, Principal, School Nurse, Superintendent.

What is child abuse in Arizona?

According to DCS:

When a parent, guardian or custodian inflicts or allows the infliction of physical, sexual or emotional abuse, neglect, exploitation or abandonment.

Physical abuse includes non-accidental physical injuries such as bruises, broken bones, burns, cuts or other injuries.

Sexual abuse occurs when sex acts are performed with children. Using children in pornography, prostitution or other types of sexual activity is also sexual abuse.

Neglect occurs when children are not given necessary care for illness or injury. Neglect also includes leaving young children unsupervised or alone, locked in or out of the house, or without adequate clothing, food, or shelter. Allowing children to live in a very dirty house which could be a health hazard may also be considered neglect.

Emotional abuse of a child is evidenced by severe anxiety, depression, withdrawal or improper aggressive behavior as

diagnosed by a medical doctor or psychologist, and caused by the acts or omissions of the parent or caretaker.

Exploitation means use of a child by a parent, guardian or custodian for material gain.

Abandonment means the failure of the parent to provide reasonable support and to maintain regular contact with the child, including providing normal supervision, when such failure is intentional and continues for an indefinite period.

Examples:

- Infliction of personal injury
- Infliction of serious emotional damage
- Failure to provide supervision, food, clothing, shelter or medical care
- Sexual conduct, molestation or abuse
- Prostitution or sexual exploitation
- Incest
- Surreptitious photos or recordings

When must you report?

According to DCS:

A report should be made when any person, who reasonably believes that a child under 18 has been abused, neglected, exploited or abandoned. A report of suspected abuse, neglect, exploitation or abandonment is only a request for an investigation. The person making the report does not need to prove the abuse. Investigation and validation of child abuse reports are the responsibilities of child protective service workers. If additional incidents of abuse occur after the initial report has been made, make another report.

In other words, report immediately. Check before the end of your shift or school day as to whether Administration has contacted DCS.

What if a child tells you about abuse?

If the child tells you about abuse, stay calm, keep the minor in a safe environment and ONLY ask the child the following questions:

1. What happened?
2. Where did it happen?
3. When did it happen?
4. Who did this?

Listen attentively and carefully and document the response. Assure and validate the minor – s/he did the right thing to report. Ask no other questions. Make no promises. Immediately contact DCS, law enforcement and your Administration. Leave it up to trained law enforcement and social services professionals to do the rest. Don't jump to conclusions. Do not attempt to investigate or discuss with anyone outside the investigation. Only report what you have observed.



Where and how can you report?

According to DCS:

A report can be made to the DCS Statewide Toll-Free Child Abuse Hotline at 1-888-767-2445, (1-888-SOS-CHILD) or law enforcement office. When reporting, the following information if known will be requested:

- name, age, and gender of child and other family members
- address, phone numbers, and/or directions to child’s home
- parents’ place of employment
- description of suspected abuse or neglect
- current condition of the child

Also, you must report to your District Administration.

Reporting just to Administration does not fulfill your responsibility unless Administration reports to DCS. As a mandatory reporter, you also have access to secure online reporting. Instructions are at <https://dcs.az.gov/report-child-abuse>.

Prepare a written report and document everything. Law enforcement or DCS may ask for your written report. Be sure your Administration has a copy of your written report. Be sure to read AEA’s *Tips for Witnesses and Writing Persuasively* before submitting the report.

What if a teacher abused a child?

If you hold a certificate from the State Board of Education, and you reasonably suspect that another certificated person engaged in child abuse, you must report it to the Arizona Department of Education’s Investigative Unit no more than three business days after you first suspect or receive the allegation. **See** A.R.S. § 15-514A. You are immune from lawsuit and retaliation from your District for making such a report. **See** A.R.S. § 15-514C and D.

What happens when I report?

The matter is investigated. Do NOT try to investigate this yourself. Trained law enforcement professionals and skilled social workers will take over.

- Failure or refusal to report is a serious crime!
- Failure or refusal to report will result in discipline against your job and certificate.
- Failure or refusal to report may get you sued.

Common Indicators of Child Abuse

Emotional

Maltreatment that results in impaired psychological growth and development, leading to poor self-esteem, lack of trust, and difficulties in forming lasting relationships:

- nagging, criticizing, humiliation
- cruel humor, hostile acts
- name calling, verbal abuse
- constant “put downs”, rejection, intimidation

Physical Indicators:

- Habit disorders (sucking, biting, rocking, etc.)
- Conduct disorders (antisocial, destructive, etc.)
- Neurotic traits (sleep disorders, speech disorders, inhibition of play)
- Psychoneurotic reactions (hysteria, obsession, compulsion, phobias, hypochondria)

Behavioral Indicators:

- Poor self image
- Overly shy and/or needy
- Feels as if their punishments aren’t harsh enough
- Afraid to go home
- If confronted, gives wild stories which change each time asked
- Pathological lying
- Behavior extremes (compliant and passive, aggressive and demanding)
- Overly adoptive behavior (inappropriately adult, inappropriately infant)
- Developmental lags (physical, mental, emotional)
- Attempted suicide

Physical

Any non-accidental injury to a child:

- Black eyes
- Scalding, burning and even death
- Fractured bones, internal injuries, brain damage
- Bruises, bites, beatings
- Inappropriate discipline such as kicking, hitting with fist or object, throwing the child, hair pulling, etc.

Unexplained bruises and welts:

- On face, lips, mouth
- On face, lips, mouth
- On torso, back, buttocks, thighs
- In various stages of healing
- Clustered, forming regular patterns
- Reflecting shape of article used to inflict (electric cord, belt buckle)
- On several different surface areas
- Regularly appear after absence, weekend or vacation



Unexplained burns:

- Cigar, cigarette burns, especially on soles, palms, backs, or buttocks
- Immersion burns (sock-like, glove-like, doughnut shaped on buttocks or genitalia)
- Patterned like electric burner, iron, etc.
- Rope burns on arms, legs, neck or torso.

Unexplained fractures:

- To skull, nose, facial structure
- In various stages of healing
- Multiple or spiral fractures

Unexplained lacerations or abrasions:

- To mouth, lips, gums, eyes
- To external genitalia

Behavioral Indicators:

- Wary of adult contacts
- Apprehensive when other children cry
- Behavioral extremes like aggressiveness or withdrawal
- Frightened of parents
- Afraid to go home
- Reports injury by parent

Sexual

Sexual contact between a child and adult or older child for the sexual gratification of the offender:

- Touching offenses: fondling, intercourse or attempted intercourse, touching of the genitals, incest, prostitution, rape
- Non-touching offenses: exhibitionism, voyeurism, child pornography, verbal sexual stimulation

Physical Indicators:

- Difficulty in walking or sitting
- Torn, stained or bloody underclothing
- Pain or itching in genital area
- Bruises or bleeding in external genitalia, vaginal or anal areas
- Venereal disease, especially in pre-teens
- Pregnancy

Behavioral Indicators:

- Unwilling to change for gym or participate in PE
- Withdrawal, fantasy or infantile behavior
- Bizarre, sophisticated or unusual sexual behavior or knowledge
- Poor peer relationships
- Delinquent or run away
- Reports sexual assault by caretaker

Emotional Neglect

Failure to provide an environment in which the child can thrive, learn and develop. This is probably the most difficult to identify due to its subtle manifestations:

- Ignoring the child
- Rejecting the child
- Locking the child in a closet or similar type of small dark space
- Isolating the child from normal peer experiences

Physical Indicators:

- Habit disorders (sucking, biting, rocking, etc.)
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Behavioral Indicators:

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Physical Neglect

Failure to provide the necessities of life for a child:

- Not providing medical treatment
- Failing to give adequate food, shelter, and clothing
- Not giving the proper supervision

Physical Indicators:

- Consistent hunger, poor hygiene, inappropriate dress
- Consistent lack of supervision, especially in dangerous activities or long periods
- Constant fatigue or listlessness
- Unattended physical problems or medical needs
- Abandonment

Behavioral Indicators:

- Begging, stealing food
- Extended stays at school (early arrival and late departure)
- Constantly falling asleep in class
- Alcohol or drug abuse
- Delinquency, thefts
- States there is no caregiver

Official Protocols

For protocols outside Maricopa County, ask your County Attorney's Office for assistance.

For protocols within Maricopa County, please read the following:

The Maricopa County Children's Justice Project created and revised a Multidisciplinary Protocol for the Investigation of Child Abuse. The latest version is online at www.maricopacountyattorney.org/DocumentCenter/View/427/Multidisciplinary-Protocol-for-the-Investigation-of-Child-Abuse---Revised-March-2016.

Pages 58 through 64 of this report give excellent guidance so they are copied below with emphasis **in boldface**:

VIII. SCHOOL PROTOCOL

School personnel are often the source of referral for child abuse allegations because of their extensive contact with children on a daily basis. They are often the first persons to whom children disclose abuse or who suspect abuse because they recognize behavioral changes in the children. School personnel are required by law to report all cases of suspected abuse. Therefore, school personnel should be familiar with the legal requirements for the identification and reporting of child abuse. **The Arizona mandatory reporting law, A.R.S. §13-3620, requires that school personnel, or any person who has responsibility for the care or treatment of a minor, who reasonably believes that a minor has been the victim of physical abuse, sexual abuse, emotional abuse or child neglect shall immediately report or cause a report to be made of this information.** This means that if there are any facts or circumstances from which one could reasonably believe that a child has been the victim of one of the above listed offenses, the person knowing those facts is required to report those facts to a police officer or to DCS. However, if the report concerns a person who does not have care, custody or control of the minor, the report shall be made to a police officer only. If unsure who has care, custody, or control call both the police and DCS. This immediate report is to be made regardless of who the alleged perpetrator is, even if the offender is a juvenile.

Your duty is to report, not to investigate. If school personnel fail to report known or suspected child abuse or neglect, then they have committed a crime that is punishable under Arizona state law. In addition to the mandate in A.R.S. §13-3620, A.R.S. §15-514(A) states that any certified person or governing board member who reasonably suspects or receives a reasonable allegation that a person certified by the State Board of Education has engaged in conduct involving minors that would be subject to the reporting requirement of A.R.S. §13-3620 shall report or cause reports to be made to the Department of Education in writing as soon as is reasonably practicable but no later than three (3) business days after the

person first suspects or receives an allegation of the conduct. Both statutes (A.R.S. §§13-3620 and 15-514) grant immunity from civil damages to those making reports, provided the report was made in good faith.

A.R.S. §13-3620 also grants immunity from any criminal proceeding to those making reports, unless the reporter has been charged with or is suspected of committing the abuse, or is acting with malice. It is highly recommended that a uniform, countywide reporting policy be adopted by every school district and charter schools. Uniform procedures that cross school district lines will serve to:

- Increase the confidence of school personnel in reporting suspected abuse;
- Improve interagency communication and cooperation between schools, law enforcement and DCS;
- Minimize the number of times the child victim is interviewed;
- Ensure that the appropriate and most qualified professionals conduct the investigation;
- Minimize disclosure trauma to the child victim.

This Protocol contains guidelines to achieve these goals. The role of school personnel in this process has been clearly delineated.

I. Responsibility of School Administration

- A. Each school or district should adopt a policy requiring school personnel and volunteers to report child abuse and receive training in mandated reporting.
- B. Designate a child abuse coordinator for each school. An alternate coordinator should also be designated and trained to assist in the absence of the primary coordinator. The coordinator and the alternate should have access to an area that will provide privacy and a telephone for reporting. The coordinator will act as liaison between the school, DCS, and law enforcement.
 1. The coordinator should receive the following training:
 - a. Mandatory Reporter Training
 - b. Multidisciplinary Protocol Training
 - c. Introduction to Advocacy Centers
 - d. Understanding the Importance of Limited Interviews
 - e. Indications of Child Abuse
- C. Each school should provide yearly training on child abuse for its staff. The coordinator may set this training. The coordinator shall may work with the Children's Justice Coordinator (if necessary or desired) to authorize and set yearly training for the entire school staff. The Children's Justice Coordinator can be reached at 602-271-4500.



II. Responsibilities of School Personnel

A. School personnel typically will receive information about possible abuse in one of three ways: the child will self report, physical injury or unusual behavior will be observed, or a third party will disclose the abuse. A third party report is a report of abuse from somebody other than the child.

1. Child's self-disclosure or observations

- a. When it appears that a child is disclosing information about possible abuse, efforts should be made to provide a quiet, private place to facilitate the conversation. The person receiving such information shall listen openly and speak at the child's level in a positive, non-judgmental tone.
- b. If the child has not spontaneously provided the following information about the abuse, only these exact questions should be asked as needed to complete the information: (1) What happened? (2) Who did it? (3) Where were you when it happened? (4) When did it happen?
- c. Effort should be made to remember the child's exact words during the disclosure since these quotes will later be documented on the reporting form.
- d. The law does not recognize confidentiality between a student and school personnel. School personnel should NOT make any promises to the child that cannot be guaranteed. For example, do not tell the child "this does not have to be reported to the authorities", "you won't have to testify", "no one will go to jail", "I won't tell anyone else", etc.
- e. School personnel should be observant of bruising, injury, markings, or unusual behavior that may be the result of abuse or neglect. School personnel should never take photos.
- f. A person observing injury may ask the four questions listed in the previous section to attempt to ascertain the cause of injury. If the child's responses lead to suspicion of abuse report this to the school coordinator. If there are inconsistencies between the child's report of cause and the type of injury, report this information to the school coordinator.
- g. If unusual behavior is observed, consult with the school coordinator, and ensure that any required reports are made.
- h. School personnel must consider the possibility of sexual abuse in pregnant teen cases. If the pregnant teen is under 15 years of age, then school personnel must make a child abuse report immediately. If the teen is 15 years or older, the situation may still be a reportable offense. School personnel must comply with the mandatory reporting law (see Appendix 3).

2. Third party report of abuse If a third party informs school personnel that they have reasonable suspicion to believe a child may be the victim of abuse or neglect, the third party should be encouraged to make a report. However, it will still be the school personnel's responsibility to make a report to law enforcement and /or the DCS Hotline immediately. If the third party reporter has answered the four questions (what?, who?, where?, and when?), then no further questions should be asked of the victim about the alleged abuse. This reporting requirement applies if the information about suspected child abuse is learned during the course of their employment. This would also apply while the employee was off duty and the third party reporter had reason to believe the person was an employee of the school.

- B. All information about child abuse is to be shared with the school's coordinator who will assist in the reporting process. The coordinator will also be available as a resource if there are any questions about abuse. See school coordinator section below for reporting guidelines.
- C. The ultimate responsibility to report to law enforcement and the DCS Hotline is that of the person receiving the initial disclosure. The person receiving this disclosure should also report to the child abuse coordinator, who can assist in making this report. The person receiving the disclosure should not assume that the child abuse coordinator or other school personnel have made the report. All reports must be made immediately. The coordinator should provide verification to the person who received the disclosure that a report has been made.
- D. School personnel shall maintain confidentiality of all information regarding the abuse report. The child abuse report shall be maintained in a file separate from the child's educational file. Do NOT contact or provide information to the parent(s), guardian(s), or custodian(s) and/or the alleged perpetrator. Refer all inquiries to police, OCWI or DCS.

School personnel may disclose only the police officer's name and badge number, or the DCS field office information. **It is the duty of police and DCS, not school personnel, to notify parents of the investigation.** Premature and/or inappropriate notifications can hinder investigations and potentially create precarious situations.

III. Responsibilities of School Coordinator

- A. The school's coordinator will work with school personnel in facilitating the reporting of suspected child abuse and/or neglect. The school's coordinator should:
 - 1. Be available for school personnel to share information about suspected abuse.
 - a. If the information is incomplete, the coordinator may ask only those approved questions (see school personnel section) not previously answered. The child should NOT be re-questioned once the information has been disclosed regardless of which staff member received the initial disclosure.
 - b. If unsure if the information constitutes abuse or is reportable, contact the DCS Hotline at 1-888-SOS-CHILD (or 1-888-767-2445). DCS will evaluate the information and determine if a report should be made.
- B. Assist police and DCS upon their arrival by sharing information and providing a private place on campus for the agencies to meet with the child and/or with the reporting source.
- C. Contact the appropriate school personnel who need to know in order to protect the child. If the principal is not the school child abuse coordinator, the principals should be advised when child abuse reports are made because investigating agencies often respond first to the main office. The principal is also frequently the first to receive calls from parents and would need to know how and where to direct their inquiries.
- D. If a parent or guardian calls or comes to the school in an effort to locate a child being interviewed, sheltered or removed from school grounds, the coordinator (or principal) should refer the parent or guardian to DCS and the law enforcement agency for information.
- E. The coordinator should maintain the confidentiality of the case. The school's coordinator will contact DCS to obtain the legally authorized information about the case and will keep other school personnel (child's teacher, counselor, nurse, etc.) informed on a need to know basis in order to better assist the child.
- F. DCS and/or law enforcement should communicate with the school's child abuse coordinator the results of the investigation only if the information will assist the child with the school routine. Any information shall be limited in order to maintain the confidentiality rights of the victims.
- H. The school coordinator shall also be responsible for coordinating ongoing, on site training of school personnel in the identification and reporting of child abuse and neglect.

IV. Responsibilities of DCS and Law Enforcement DCS and/or law enforcement officers shall conduct the investigation. The DCS investigator and/or law enforcement officer will provide proper identification and documentation and should confer with the coordinator/reporting party. See the Attorney General opinion, Appendix 6, for more information regarding the rights of DCS investigators and/or police officers while conducting child abuse investigations at schools.

- A. The DCS investigator and/or the law enforcement officer may, at their discretion:
 - 1. Enter the school grounds and investigate cases of suspected abuse without unnecessary disruption of normal school activities. It is preferred that this occur through the front office with the cooperation of the school staff.
 - 2. Interview the child victim, and all other children residing in the home, on school grounds outside of the presence of school personnel. School personnel may only be present during the interview at the request of the DCS investigator and/or law enforcement officer.
 - 3. Conduct interviews of the child without permission from or notice to the parent(s) and/or guardian(s).
 - 4. Remove the child from the school (take temporary custody) if necessary to further the investigation.
 - 5. Obtain school records by lawful means.
- B. Efforts will be made to minimize any emotional trauma to the child as well as preserve the confidentiality of the investigation and the rights of the child as a victim of crime. Joint DCS and law enforcement interviews are encouraged (see law enforcement and DCS sections of this Protocol). C. If the DCS or law enforcement officer believes it is necessary, the child may be sheltered. The coordinator should be informed of this decision. DCS and/or law enforcement are required to notify the parents in writing within six (6) hours if a child is taken into temporary custody. Again, it is not the responsibility of school personnel to make notifications to the family. D. In the event of an investigation originating from a source other than the school, the DCS investigator and/or law enforcement officer will, as a courtesy, attempt to notify the coordinator.

PART TWO

What if YOU have been accused?

If you have been accused, **immediately contact your association representative and Organizational Consultant.** Only give general information about the accusation. Bear in mind that any confession made to them is likely not privileged because they are not your attorney. Ask for help and for the AEA pamphlet “Tips for Witnesses.”

Your statements to parents, supervisors, police, and others may be used against you. You do not have to confess or explain anything to the police.

Think carefully before you speak to anyone. Silence is better than a lie, and your statements might be misinterpreted.

Ask for association representation at any meeting to discuss the incident with your supervisors. Your District policy may or may not give you rights to representation during an investigation. If you are denied representation, ask to postpone the meeting for at least a day or two until you can consult with your representative. Ask for sufficient time to carefully write any incident report, and consult your Building Representative, Local Education Association Officer or Organizational Consultant before submitting it.

Employees face a difficult decision when asked to respond to an employer’s investigation that involves accusations of criminal conduct.

The choices include the following:

- **Remain silent.** Silence is the best way to avoid making incriminating statements. Silence is especially important when the charges are serious and the police are involved. Unfortunately, your employer may perceive silence as guilt or an insubordinate refusal to cooperate.
- **Respond fully and immediately.** You might resolve a minor matter quickly if you are completely innocent. However, any statements made may be used against you later at criminal or disciplinary proceedings.
- **Delay your response.** Request a postponement so that you can seek advice and provide a thoughtful response.
- **Control your response.** Make requests that will help you respond more carefully and thoughtfully. Your requests may not be granted, depending upon your employer’s policy. You may control your response by:
 1. Asking for Association representation at all meetings.
 2. Asking for details about the allegations before responding.
 3. Asking to give a written response (with review by an Organizational Consultant or AEA attorney to assure brevity and positive statements).
 4. Responding partially by giving a brief denial without details.
 5. Responding with proof, by attaching the names and statements of other witnesses.

It is especially important to contact your Organizational Consultant or Local Education Association Officer if your school threatens “adverse action,” such as dismissal, nonrenewal, or suspension without pay. Organizational Consultants decide whether to contact the AEA General Counsel for legal information and approval for representation by an AEA-assigned attorney. AEA assigned attorneys frequently help members with employment problems, such as providing legal representation at dismissal hearings.

You should try to determine if the allegation is being treated as a criminal offense. The safest course is to assume that any child abuse or sexual misconduct allegation will be treated as a criminal offense. *If the allegation is being treated as a criminal offense, you should immediately contact a criminal defense attorney.* You may need a criminal defense attorney to help you decide whether to answer questions about the incident or whether to remain silent and invoke your Fifth Amendment privilege against self-incrimination.

AEA’s Educators Employment Liability (EEL) insurance coverage covers criminal legal defense expenses if you are exonerated (acquitted or all charges dropped) of **work-related** criminal charges. The insurance company does not pay attorney’s fees until *after* the case is over. Ask your Organizational Consultant for more information and EEL claim forms.

PART THREE

Common Sense Suggestions for Avoiding False Accusations

1. **Avoid being alone with a student.** Risky situations include keeping a student in for recess, make-up tests, counseling, tutoring, and after-school detention. Arrange to have the activity within sight of another adult. If you must be alone with a student, leave the door open or sit by a window and inform another adult. Avoid repeated one-to-one contact with an individual student. For example, instead of assigning one child to help clean up after class, ask two students to help.
2. **Avoid physical contact with students whenever possible, especially when it could be misunderstood as sexual in nature.** Whenever possible, keep your own “personal space.” Develop a repertoire for reinforcing student behavior and giving praise in a manner that avoids contact. Follow your district’s policies. Ask your district for special training if you work with students requiring regular assistance or with whom occasional contact is unavoidable.
3. **Avoid using physical force to enforce discipline.** Never touch a child in anger. Use verbal commands and other disciplinary methods. Do not grab students to move them in a particular direction or touch them to get their attention. On rare occasions, a school employee may need to use physical force in self-defense or briefly restrain a student

to prevent injury to the student or others. Use the minimum force necessary to prevent harm, and immediately call for help. Be aware of your district's policies on the use of physical force and restraint.

- 4. Avoid making telephone calls, sending written communications or personal text messages to students, giving gifts to students, or socializing with students in situations that could be misconstrued.** Do not invite students to your home or the movies, unless a trip to the movies is a group activity with other adults present. If you reward students with a special out-of-school activity, obtain written permission from the parents and an administrator and arrange for parents or colleagues to also attend. Do not give your cell phone number to your students. Use district approved apps and methods of communication.
- 5. Maintain a professional relationship with students.** Do not try to be a "pal" to a student. Make certain that the student clearly understands that you are the adult. As an adult, you are responsible for setting appropriate limits on the relationship. Do not use profanity in front of students or at work. Instead, be a positive role model. Do not tease or ridicule students. A student may misinterpret innocent teasing or comments on physical appearance. Do not have secrets and avoid discussing your personal experiences unless they are both relevant and appropriate.
- 6. Do not be drawn into discussions of sexually oriented or explicit topics, such as suggestive jokes or song lyrics.** Discourage such conversations in your presence.
- 7. Do not use the school computer for anything that you would not want your supervisor or members of the public to see. This includes sending emails, browsing, and any other use of the computer.** Information on a school computer is not private. Most emails and searches can be viewed, even if they have been deleted. Be careful when entering or publishing personal information online. Remember, parents and students may find your online social media presence or other sites.
- 8. If a student confides in you regarding a personal topic of a sexual nature, either invite another adult to join the conversation or report the conversation in writing to the school counselor immediately.** You may also have a duty to report in some circumstances.
- 9. Avoid transporting students in your personal vehicle.** Being alone in a car with a student exposes you to accusations of misconduct in a situation where it may be your word against the student's word. In addition, you may be liable for an accident.
- 10. Avoid dating or romantic relationships with current or former students, even if the students are over 18 years old.**

Please see the AEA Publication: *False Accusations: Suggestions for Assisting Falsely Accused School Employees*

PART FOUR

Working Together with Your Association

Local associations can be instrumental in helping schools address the problems of child abuse reports, false accusations, and fair treatment for accused employees. AEA members and local associations can act on these issues in many ways, including the following suggestions.

- Work with district officials to ensure that all school employees learn about reporting requirements.
- Discuss child abuse reports and ways to avoid false abuse accusations.
- Discuss your school district's policy on contact with students and work to improve it. Brainstorm solutions to specific circumstances, such as those faced by coaches and special education teachers.
- Review the NEA booklet, "Teach But Don't Touch" and AEA booklets, "Violence at School," "Sexual Harassment," and "Tips for Witnesses," which you can obtain through your local representatives or AEA Organizational Consultant or by submitting a request via www.arizonaaea.org/helpdesk.
- Offer assistance to members who have struggle with appropriate redirection or addressing challenging behaviors. An experienced teacher can help demonstrate better techniques or lead a brainstorming session on addressing such behaviors.
- Insist that accused members be treated fairly. Provide friendly emotional support during this stressful period. Falsely accused members may feel devastated and abandoned. Encourage members to withhold judgment and refrain from gossip. Contact your Organizational Consultant immediately when abuse allegations become known.
- Establish school board policies that provide fair treatment for accused employees, especially during investigations. For example, your Association can suggest the following:
 1. Administrators receive advanced training in conducting fair investigations. For example, investigators should ask children open-ended questions, not "yes or no" questions or leading questions. Investigators should interview children separately, record the interviews, and have at least one other adult present.
 2. Trained outside investigators are hired for serious abuse accusations.
 3. Accused employees are given the details of allegations before meeting with supervisors or investigators to discuss them.
 4. Employees can have Association representation at any meeting to discuss a parent or student complaint or at any meeting that might result in discipline.



Cue Card for School Personnel

- 1. Record the information provided by the child.**
- 2. Meet with School Child Abuse Coordinator.**
- 3. Phone DCS or go online to report.**
- 4. Submit written report on District form.**
- 5. Refer all inquiries to DCS or law enforcement.**
- 6. Maintain confidentiality.**
- 7. Be available to DCS or law enforcement.**
- 8. Don't do it yourself; let the trained professionals investigate.**



arizonaea.org/helpdesk
(877) 828-1983

A Final Note

For more information and assistance, contact your local association, arizonaaea.org/helpdesk, or your AEA Organizational Consultant.

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This brochure is a general guide for AEA members and is not intended to provide complete information or legal advice on specific problems. Changes in laws and cases may modify the information provided. To find Arizona statutes on the Internet, go to www.azleg.gov.



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