

## **Chinle Unified School District #24**

### **Exceptional Student Services District Social Services Manual**

#### **Protocol**

*The Chinle Unified School District is bound by the Arizona Department of Education State of Arizona Reporting Procedures dated October 2012:*

*ARS § 13-3620 - Reporting to law enforcement or child protection services:*

- *Who must report pursuant to A.R.S. § 13-3620?*

*A.R.S. § 13-3620 mandates that certain professionals report suspected child abuse to the proper authorities. Among these professionals are nurses, psychologists, social workers, counselors, school personnel or any other person having responsibility for the care or treatment of children. This includes, at least, all teachers and administrators.*

- *What must be reported and to whom should these reports be made?*

*A.R.S. § 13-3620 generally states that any person who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, sexual abuse, sexual conduct with a minor, sexual assault, molestation, sexual exploitation of a minor, incest, child prostitution or neglect that appears to have been inflicted on the minor by other than accidental means shall immediately report this information, or cause reports to be made, to a peace officer or child protective services in the department of economic security. Please refer to the statute for complete list of offenses that must be reported.*

*Reports required by this statute should be made to either the local law enforcement agency or child protective services. Generally, if the suspected abuse is committed by a family member or legal guardian the report should be made to child protective services. All other reports should be made to law enforcement.*

- *How and when should a report be made?*

*A.R.S. § 13-3620 requires two reports. First, the suspected abuse should immediately be reported to the appropriate authority either in person or by telephone. Second, the statute requires that this be followed by a written report within seventy-two hours. This report shall contain:*

1. *The name and addresses of the minor and minor's parents or the person or person's having custody of the minor, if known.*

2. *The minor's age and the nature and extent of the minor's abuse, child abuse, physical injury or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.*
  3. *Any other information that the person believes might be helpful in establishing in cause of the abuse, child abuse, physical injury or neglect.*
- *What is the standard for determining when a report is required?*

*The standard for making reports pursuant to A.R.S. § 13-3620 is a "reasonable" belief. This means "if there are any facts from which one could reasonably conclude that a child has been abused, the person knowing those facts is required to report those facts to appropriate authorities. 'Reasonable grounds' is a low standard", (emphasis added).*

*School personnel are not required to fully investigate the suspected abuse. Rather, their responsibility is only to report the information to the proper authorities. A person who violates this section is guilty of a class 1 misdemeanor, except if the failure to report involves a reportable offense, the person is guilty of a class six felony.*

*Relating to Health, Education and Human Services, Law and Order, and Naabik'iyati Repealing Title 9 §§1051 – 1307 Domestic Relations Code SubChapter 1. General Provisions Chapter 11. Navajo Nation Children's Code; and amending and enacting Title 9, §§1001 – 1504 to enact the Navajo Nation Alchini Bi Beehaz annii Act of 2011*

*§ 1117. Duty to report child abuse; penalty for failure to report*

- A. Any medical provider, school personnel, law enforcement official, or social worker, acting in his or her official capacity, or any appointed or elected Naat'annii, having a reason to believe that any abuse or neglect has been inflicted upon a child shall report the matter immediately to a Law Enforcement official or the Division.*
- B. Any other person having reason to believe that a child has been subjected to serious injury or injuries have been inflicted upon a child as a result of abuse or neglect shall report the matter immediately to a Law Enforcement official or the Division.*
- C. A lay person who provides a report of abuse or neglect may at his/her discretion remain anonymous.*
- D. Any person failing, neglecting or refusing to report a suspected case of child abuse or neglect pursuant to this Section may be subject to civil sanction including but not limited to a penalty not to exceed five-hundred dollars (\$500.00).*

*§ 1118. Waiver of Privilege and Immunity*

- A. In any proceeding alleging child abuse or neglect under this Chapter resulting from a report submitted under §1117, or in any proceeding in which the report or any part of its contents is sought to be introduced in evidence, the report or its contents or any facts related thereto or to the condition of the child who is the subject of the report shall not be subject to a physician-patient privilege or similar privilege, rule or law against disclosure.*
- B. Any person reporting an instance of suspected child abuse or neglect, or participating in a judicial proceeding brought as a result of a report submitted under §1117 shall be presumed to be acting in good faith and shall be immune from civil or criminal liability, unless a finding is made that the person acted in bad faith or with malicious purpose.*
- C. The Division shall be immune from civil or criminal liability for services rendered pursuant to this Chapter, unless the Division acted with gross negligence or malice or unless the Division has been charged with or is suspected of abusing, abandoning or neglecting the child in question.*

***\*\*The District Social Workers do not have the same authority as the Navajo Nation Social Worker in detaining students (child under age of 18) unless the Navajo Nation Division of Social Services (NNDSS) – Child Protective Services Workers request to hold child until they arrive, for the child's safety concerns.\*\****

The following procedures should be followed:

1. **Sexual Abuse** (fondling, kissing, video, texting, talking, and any kind of penetration) is considered top priority.
  - a. The first contact person hearing, discovering or notified report it **immediately** verbally and in writing using the CUSD Student Safety/Suspected Child Abuse & Neglect (SCAN) Form to their building Principal. Mandated to keep all reporting **CONFIDENTIAL!**
  - b. Only write information provided during the initial contact.
  - c. Do **not** interview the student.
  - d. Do **not** alarm the student and classmate on the report.
  - e. Do **not** isolate the student.
  - f. The building Principal upon receipt of the notification of possible **Sexual Abuse** should immediately call the District Social Services Office. The CUSD Student Safety/Suspected Child Abuse & Neglect (SCAN) Form need to be completed by the first contact person as soon as possible, which will be forward to the Navajo Nation Division of Social Services (NNDSS) Child Protective Service Workers for appropriate legal investigation.
  - g. If the building Principal should immediately remove the student. The student should be placed with the School Counselor in case the student asks questions.
  - h. The District Social Workers will make contact with NNDSS Child Protective Service Worker and the Navajo Nation Police Department (NNPD) on the Sexual Abuse allegation. The District Social Worker are to immediately arrive at the school to meet with student, first reporting person and/or School Counselor to examine the allegations of who, what, when, where, and how.
  - i. Once documents are completed the referral will be forward to NNDSS and NNPD to process the allegations. Please keep in mind there are written correspondence required by the receiving parties and this is why documentation are very vital through the process.
  - j. If the NNDSS requests for detaining of the student until they arrive or need to be transported to NNDSS office, the District Social Workers or School Security will assist.
  - k. The NNDSS Child Protective Service Worker will continue the necessary investigation and keep the District Social Workers updated on the student's case status to determine if the student will return to the school district or moved to another home.

2. **Physical Abuse** (bruises, cuts, burns, broken bones/personal items, severe scares) is considered a second priority.
- a. The first contact person hearing, discovering or notified should report it ***immediately*** verbally and in writing using the CUSD Student Safety/Suspected Child Abuse & Neglect (SCAN) Form to their building Principal. Mandated to keep all reporting **CONFIDENTIAL!**
  - b. Only write information provided during the initial contact.
  - c. Do ***not*** interview the student.
  - d. Do ***not*** alarm the student and classmate on the report.
  - e. Do ***not*** isolate the student.
  - f. The building Principal upon receipt of the notification of possible **Physical Abuse, including Domestic Violence issues** should immediately call the District Social Services Office. The CUSD Student Safety/Suspected Child Abuse & Neglect (SCAN) Form need to be completed by the first contact person as soon as possible, which will be forward to the Navajo Nation Division of Social Services (NNDSS) Child Protective Service Workers for appropriate legal investigation.
  - g. If the building Principal should immediately remove the student. The student should be placed with the School Counselor in case the student asks questions. The School Nurse should do a body check to ensure student does not have other injuries.
  - h. The District Social Workers will make contact with NNDSS Child Protective Service Worker and the Navajo Nation Police Department (NNPD) on the Physical Abuse allegations, including Domestic Violence issues. The District Social Worker are to immediately arrive at the school to meet with student, first reporting person and/or School Counselor to examine the allegations of who, what, when, where, and how.
  - i. Once documents are completed the referral will be forward to NNDSS and NNPD to process the allegations. Please keep in mind there are written correspondence required by the receiving parties and this is why documentation are very vital through the process.
  - j. If the NNDSS requests for detaining of the student until they arrive or need to be transported to NNDSS office, the District Social Workers or School Security will assist.
  - k. The NNDSS Child Protective Service Worker will continue the necessary investigation and keep the District Social Workers updated on the student's case status to determine if the student will return to the school district or moved to another home.

3. **Suicidal Ideation** (cutting, burns, scaring of self, suicidal notes, drawing or talking about harming themselves, withdrawn behavior) is also a priority.
- a. The first contact person hearing, discovering or notified should report it ***immediately*** verbally and in writing using the CUSD Student Safety/Suspected Child Abuse & Neglect (SCAN) Form to their building Principal. Mandated to keep all reporting **CONFIDENTIAL!**
  - b. Only write information provided during the initial contact.
  - c. Do ***not*** interview the student.
  - d. Do ***NOT*** alarm the student and classmate on the report.
  - e. Do ***not*** isolate the student by themselves.
  - f. The building Principal upon receipt of the notification of possible **Suicidal Ideation** should immediately call the District Social Services Office. The CUSD Student Safety/Suspected Child Abuse & Neglect (SCAN) Form need to be completed by the first contact person as soon as possible, which will be forward to the Navajo Nation Division of Social Services (NNDSS) Child Protective Service Workers for appropriate legal investigation.
  - g. The building Principal should immediately remove the student from school peers, classroom. The student should be placed with the School Counselor for proper supervision. The parents should be notified and Chinle Indian Health Service Emergency Room (928) 674-7001 must be contacted for proper patient care regarding Suicidal Ideation. Family Engagement Specialist/Home Liaison will make contact with the parents on their child situation and be available to assist in transporting parents if transportation is not available by family.
  - h. The District Social Workers will make contact with NNDSS Child Protective Service Worker and the Navajo Nation Police Department (NNPD) regarding the student's Suicidal Ideation. The District Social Worker are to immediately arrive at the school to meet with student, first reporting person and/or School Counselor to examine the allegations of who, what, when, where, and how.
  - i. Once documents are completed the referral will be forward to NNDSS and NNPD to process the allegations. Please keep in mind there are written correspondence required by the receiving parties and this is why documentation are very vital through the process.
  - j. If the NNDSS requests for detaining of the student until they arrive or need to be transported to NNDSS office, the District Social Workers or School Security will assist.
  - k. The NNDSS Child Protective Service Worker will continue the necessary investigation and keep the District Social Workers updated on the student's case status to determine if the student will return to the school district or moved to another home.

4. **Medical Neglect** (immunization not updated, continuous illness with no resolution, refusing medical attention, not taking prescribed medications). These are considered lower priority.
- a. Reporting person should first try to remedy the situation first with other school personnel, as the Nurse, Family Engagement Specialist, and School Counselor. "Teamwork" is the key word.
  - b. Reporting person attach your previous interventions on this referral.
  - c. Reporting person attach resolutions of previous interventions.
  - d. Reporting person attach home location of family.
  - e. Reporting person will complete a CUSD Student Referral Form.
  - f. Reporting person should report it verbally and in writing using the CUSD Student Referral Form to their building Principal. Keep all reporting **CONFIDENTIAL!**
  - g. Only write information pertaining to the matter.
  - h. Do **not** interview the student.
  - i. Do **NOT** alarm the student and classmate on the report.
  - j. Do **not** isolate the student do to the matter.
  - k. The building Principal will sign the CUSD Student Referral Form to be completed by the reporting person as soon as possible, which will be investigate by District Social Workers if need be forward to the Navajo Nation Division of Social Services (NNDSS) Child Protective Service Workers for appropriate legal investigation for the consistence neglect.
  - l. The building Principal should not remove the student from school peers, classroom, unless the student can infect others. The student should be placed with the Nurse for proper supervision. The parents should be notified to make contact for medical needs and a follow up would be made by the District Social Workers.
  - m. The District Social Worker will arrive at the school to meet with student, reporting person and/or School Counselor to examine the allegations of who, what, when, where, and how.
  - n. The District Social Workers will make contact with parents for statements of their neglect. If the findings are from parents neglect, the NNDSS Child Protective Service Worker and the Navajo Nation Police Department (NNPD) will be notified. Once documents are completed the referral will be forward to NNDSS and NNPD to process the allegations. Please keep in mind there are written correspondence required by the receiving parties and this is why documentation are very vital through the process.
  - o. If the NNDSS requests for detaining of the student until they arrive or need to be transported to NNDSS office, the District Social Workers or School Security will assist.
  - p. The NNDSS Child Protective Service Worker will continue the necessary investigation and keep the District Social Workers updated on the student's case status to determine if the student will return to the school district or moved to another home.

5. **Physical Neglect** (no jacket/coat, inappropriate clothing for the season, poor hygiene).
- a. Reporting person should first try to remedy the situation first with other school personnel, as the Nurse, Family Engagement Specialist, and School Counselor. "Teamwork" is the key word.
  - b. Reporting person attach your previous interventions on this referral.
  - c. Reporting person attach resolutions of previous interventions.
  - d. Reporting person attach home location of family.
  - e. Reporting person will complete a CUSD Student Referral Form.
  - f. Reporting person should report it verbally and in writing using the CUSD Student Referral Form to their building Principal. Keep all reporting **CONFIDENTIAL!**
  - g. Only write information pertaining to the matter.
  - h. Do **not** interview the student.
  - i. Do **NOT** alarm the student and classmate on the report.
  - j. Do **not** isolate the student do to the matter.
  - k. The building Principal will sign the CUSD Student Referral Form to be completed by the reporting person as soon as possible, which will be investigate by District Social Workers if need be forward to the Navajo Nation Division of Social Services (NNDSS) Child Protective Service Workers for appropriate legal investigation for the consistence neglect.
  - l. The building Principal should not remove the student from school peers, classroom, unless the student can infect others. The student should be placed with the Nurse for proper supervision. The parents should be notified to make contact for medical needs and a follow up would be made by the District Social Workers.
  - m. The District Social Worker will arrive at the school to meet with student, reporting person and/or School Counselor to examine the allegations of who, what, when, where, and how.
  - n. The District Social Workers will make contact with parents for statements of their neglect. If the findings are from parents neglect, the NNDSS Child Protective Service Worker and the Navajo Nation Police Department (NNPD) will be notified. Once documents are completed the referral will be forward to NNDSS and NNPD to process the allegations. Please keep in mind there are written correspondence required by the receiving parties and this is why documentation are very vital through the process.
  - o. If the NNDSS requests for detaining of the student until they arrive or need to be transported to NNDSS office, the District Social Workers or School Security will assist.
  - p. The NNDSS Child Protective Service Worker will continue the necessary investigation and keep the District Social Workers updated on the student's case status to determine if the student will return to the school district or moved to another home.



6. **Emotional Neglect** (lack of interest in student's well being).

- a. Reporting person should first try to remedy the situation first with other school personnel, as the Nurse, Family Engagement Specialist, and School Counselor. "Teamwork" is the key word.
- b. Reporting person attach your previous interventions on this referral.
- c. Reporting person attach resolutions of previous interventions.
- d. Reporting person attach home location of family.
- e. Reporting person will complete a CUSD Student Referral Form.
- f. Reporting person should report it verbally and in writing using the CUSD Student Referral Form to their building Principal. Keep all reporting **CONFIDENTIAL!**
- g. Only write information pertaining to the matter.
- h. Do **not** interview the student.
- i. Do **NOT** alarm the student and classmate on the report.
- j. Do **not** isolate the student do to the matter.
- k. The building Principal will sign the CUSD Student Referral Form to be completed by the reporting person as soon as possible, which will be investigate by District Social Workers if need be forward to the Navajo Nation Division of Social Services (NNDSS) Child Protective Service Workers for appropriate legal investigation for the consistence neglect.
- l. The building Principal should not remove the student from school peers, classroom, unless the student can infect others. The student should be placed with the Nurse for proper supervision. The parents should be notified to make contact for medical needs and a follow up would be made by the District Social Workers.
- m. The District Social Worker will arrive at the school to meet with student, reporting person and/or School Counselor to examine the allegations of who, what, when, where, and how.
- n. The District Social Workers will make contact with parents for statements of their neglect. If the findings are from parents neglect, the NNDSS Child Protective Service Worker and the Navajo Nation Police Department (NNPD) will be notified. Once documents are completed the referral will be forward to NNDSS and NNPD to process the allegations. Please keep in mind there are written correspondence required by the receiving parties and this is why documentation are very vital through the process.
- o. If the NNDSS requests for detaining of the student until they arrive or need to be transported to NNDSS office, the District Social Workers or School Security will assist.
- p. The NNDSS Child Protective Service Worker will continue the necessary investigation and keep the District Social Workers updated on the student's case status to determine if the student will return to the school district or moved to another home.

7. **Educational Neglect** (parents allowing student to ditching, continuous bad grades, refusing parent conferences).
- a. Reporting person should first try to remedy the situation first with other school personnel, as the Attendance Monitor, Family Engagement Specialist, and School Counselor. "Teamwork" is the key word.
  - b. Reporting person attach your previous interventions on this referral.
  - c. Reporting person attach resolutions of previous interventions.
  - d. Reporting person attach home location of family.
  - e. Reporting person will complete a CUSD Student Referral Form.
  - f. Reporting person should report it verbally and in writing using the CUSD Student Referral Form to their building Principal. Keep all reporting **CONFIDENTIAL!**
  - g. Only write information pertaining to the matter.
  - h. Do **not** interview the student.
  - i. Do **NOT** alarm the student and classmate on the report.
  - j. Do **not** isolate the student do to the matter.
  - k. The building Principal will sign the CUSD Student Referral Form to be completed by the reporting person as soon as possible, which will be investigate by District Social Workers if need be forward to the Navajo Nation Division of Social Services (NNDSS) Child Protective Service Workers for appropriate legal investigation for the consistence neglect.
  - l. The building Principal should not remove the student from school peers, classroom, unless the student can infect others. The student should be placed with the Nurse for proper supervision. The parents should be notified to make contact for medical needs and a follow up would be made by the District Social Workers.
  - m. The District Social Worker will arrive at the school to meet with student, reporting person and/or School Counselor to examine the allegations of who, what, when, where, and how.
  - n. The District Social Workers will make contact with parents for statements of their neglect. If the findings are from parents neglect, the NNDSS Child Protective Service Worker and the Navajo Nation Police Department (NNPD) will be notified. Once documents are completed the referral will be forward to NNDSS and NNPD to process the allegations. Please keep in mind there are written correspondence required by the receiving parties and this is why documentation are very vital through the process.
  - o. If the NNDSS requests for detaining of the student until they arrive or need to be transported to NNDSS office, the District Social Workers or School Security will assist.
  - p. The NNDSS Child Protective Service Worker will continue the necessary investigation and keep the District Social Workers updated on the student's case status to determine if the student will return to the school district or moved to another home.