



Child Sexual Abuse: Reporting Guidelines

An excerpt of the forthcoming *NAIS Handbook on Child Safety* by Dr. Anthony P. Rizzuto and Dr. Cynthia Crosson-Tower.

What is sexual abuse?

Sexual abuse is defined as inappropriate adolescent or adult sexual behavior with a child. It includes fondling a child's genitals, making the child fondle an adult's genitals, intercourse, incest, rape, sodomy, exhibitionism, sexual exploitation, or exposure to pornography.

Sexual abuse may be committed by a person under age 18 when that person is either significantly older than the victim or is in a position of power or control over the child. Sexual abuse may take place within the family, by a parent's boyfriend or girlfriend, or at the hands of adult caretakers outside the family, for example, a family friend or babysitter. Adults who sexually abuse children most often know and have a relationship with the child.

What is the role of educators in reporting sexual abuse?

Each state defines child abuse and neglect in its statutes and policies, and every state legally mandates that educators report suspected child abuse and neglect. A mandated reporter is anyone required by state law to report maltreatment (or suspected maltreatment) to the designated state child protective services (CPS) agency. In addition, almost every state levies penalties against mandated reporters who choose not to report.

Listings of all 50 state agencies designated to receive and investigate reports of suspected child abuse and neglect, along with their websites and toll-free telephone numbers, are available from a number of sources. For example, the Child Welfare Information Gateway, a website maintained by the U.S. Department of Health and Human Services, maintains a current list at the following address: www.childwelfare.gov/pubs/reslist/rl_dsp.cfm?rs_id=5&rate_chno=W-00082

How should adults respond to a child who discloses abuse?

An educator faced with child disclosure may feel at a loss as to what to say. First, it is vital to communicate several things to the child: that *you are very glad that he or she told you, that you believe him or her*, and that *he or she is not to blame*. Whether or not you believe what the child has said, the child has told you for a reason. Until you know why, the child must feel believed (the number of false reports by children is negligible). It may also help the child if you *communicate that this happens to other children*, and that *he or she is not alone*. The following are some additional tips important when talking with the child:

- Do not let a child swear you to secrecy before telling you something. You may need to report.
- Try to find a neutral setting where you can have quiet and few interruptions if a child asks to speak with you.
- Do not lead the child in his/her telling. Just listen, and let the child explain in his/her own words. Do not pressure the child for a great amount of detail.
- Respond calmly and matter-of-factly. Even if the story that the child tells you is difficult to hear, it is important not to register disgust or alarm.
- Do not make judgmental comments about the abuser. It is often someone the child loves or is close to.
- Reassure children that they are not at fault. Children often feel or are told that they are to blame for their own maltreatment and for bringing “trouble” to the family.
- Do not promise the child that things will immediately get better. In reality, things may get worse before they get better, but conveying this to the child may make him/her more anxious.
- Do not confront the abuser. This may cause more harm to the child.
- Ask the child if he/she feels safe going home. If he/she does not, consider it an emergency, and handle it immediately by contacting Child Protective Services (CPS) and the local police department. Do not take the child home with you! Provisions should be made by an appropriate agency.
- Respect the child’s confidence, and limit the number of people with whom you share the information. The child’s privacy should be protected.
- Explain to the child that you must tell someone else to get some help. Try to let the child know that someone else may also need to talk with him/her and explain why.
- Assure the child that you or another school staff member will be available for support whenever possible.¹

Remember that children who disclose abuse are often frightened or anxious and will need reassurance, encouragement, and support throughout the weeks to come. You may well be in the position to provide this support.

How do you report suspected abuse?

All states have child protection agencies designated to receive and investigate reports of suspected child abuse and neglect. Again, you can get listings for your state from sources like the Child Welfare Information Gateway:

www.childwelfare.gov/pubs/reslist/rl_dsp.cfm?rs_id=5&rate_chno=W-00082.

Likewise, all states, the District of Columbia, and U.S. territories have reporting statutes for child abuse and neglect. The statutes outline who must report, to whom the report must be made, the timelines for reporting, and the form and content of the report. Given the diversity of statutes, school leaders should obtain a copy of the law in their state. To access the statutes for a specific state or territory, visit your state's government website, or the State Statutes Search listing on the Child Welfare Information Gateway: www.childwelfare.gov/systemwide/laws_policies/state/.

Although all states require *suspected* abuse to be reported, no state requires that the reporter have conclusive *proof* that the abuse or neglect occurred. Educators are not expected to be investigators. The law clearly specifies that reports must be made when abuse is observed, or the educator "suspects" or "has reasonable cause to believe" that a child has been or is being harmed. Another standard frequently used is when the reporter knows of, or observes a child being subjected to, conditions that would reasonably harm the child, the adult is required to report. In all cases, incidents are to be reported as soon as they are noticed. Waiting for conclusive proof may put the child at further risk, so when in doubt, report!

Administrators might fear that reports of child abuse may reflect badly on their school and that reporting may antagonize parents. For independent schools, ongoing competition for enrollment, high parental expectations, a necessary emphasis on fund-raising, and the role and influence of boards of trustees may combine to create a sense of hesitation or second-guessing yourself when faced with a situation that should very likely be reported to public authorities.

Yet, the bottom line for most parents who enroll students in independent schools, as it should be for all of us, is the safety of the children. Child abuse cuts across all socioeconomic, geographic, religious, and racial/ethnic segments of our country, and parents are more aware now than ever before of its dangers. Confidence and trust in the school will justifiably increase when parents and other constituents realize that a school takes its responsibility to protect children seriously; takes steps to keep them informed of those efforts; trains its faculty and staff in the responsibilities of recognizing and reporting unsafe situations; creates policies, protocols, and tools to address early detection and effective, rapid action; and initiates and sustains a collaborative working relationship with the community agencies in place to support abuse prevention and child safety efforts.

What if the abuse is happening within the school?

It is extremely disturbing for most educators to consider that a colleague might be abusing children, but it happens. A common response when a fellow educator is suspected of abuse, especially if that person is popular or a long-term employee, is to deny, rationalize, or ignore it. Sometimes the abuser is transferred to another school. But experience has shown that, even with

a suspension or reprimand, the violation is likely to recur in the absence of intervention and monitoring.

If a child reports that he or she is being sexually, physically, or emotionally abused by school personnel, school heads should remember that it takes courage for an abused child to talk to someone. These children need special protection. After using the guidelines above to talk with the student, your best course of action is to follow state policy and procedures, which usually involve contacting CPS immediately. CPS personnel will interview the child or refer the allegations to law enforcement (depending on the state's laws) to determine if the allegation is true and if the child knows anyone else to whom this has happened. If so, the CPS investigator will most likely want to talk with any other alleged victims. The situation should not be discussed among other school staff.

The alleged perpetrator has the right to know of the allegation, but the investigator (who may be a CPS caseworker or law enforcement) rather than school personnel should talk with the employee. Also, it is inappropriate to ask children to tell their stories in front of their alleged abuser. There is a significant difference in power and resources between teachers and students, and asking children to tell their story in front of the alleged perpetrator can further victimize them.

You may also feel an obligation to protect the reputation of your employee until the allegations are investigated thoroughly. In the interests of and for the protection of all parties concerned, some organizations place the employee on paid administrative leave until the CPS investigative process is complete and the allegations are substantiated or not.

Educators are trained to recognize and intervene when children are not able to benefit fully from their educational opportunities. This training makes them uniquely qualified to detect indicators that may signify that a child is being maltreated in some way. Further, because schools are one of the few places in which children are seen almost daily, educators have a chance to see changes in appearance and behavior. Everyone — from classroom teachers to guidance counselors, social workers, nurses, psychologists, and school administrators — becomes an integral part of the educational team to help children.

Together, we can help create safe environments for our children and protect them from child abuse.

The NAIS Handbook on Child Safety, by Dr. Anthony P. Rizzuto and Dr. Cynthia Crosson-Tower, is scheduled to be published in February, 2012. It includes tips for building faculty and staff awareness of the signs and symptoms of child abuse and neglect, outlines the responsibilities and mechanics of mandated reporting, and suggests steps for establishing effective protocols for handling reports of abuse.

¹ Cynthia Crosson-Tower, *The Role of Educators in Preventing and Responding to Child Abuse and Neglect*, (Washington, D.C., U.S. Department of Health and Human Services, 2003).