

STDNT5.8 - Student Welfare: Child Abuse and Neglect

S - Student

FFG

CHILD ABUSE AND NEGLECT

LOCAL

Any school personnel or any other person who has responsibility for the care or treatment of a minor and who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense, or neglect that appears to have been inflicted upon the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature or who reasonably believes there has been a denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant who is protected under A.R.S. [36-2281](#) shall immediately report or cause reports to be made of such information to a peace officer or to the Department of Child Safety (DCS) of the Department of Economic Security, except if the report concerns a person who does not have care, custody, or control of the minor, the report shall be made to a peace officer only. Such reports shall be made immediately either electronically or by telephone.

The Arizona Department of Economic Security, Division of Children, Youth and Families, has determined that all mandated reporters may now electronically submit non-emergency reports via a secure online reporting website. Non-emergency reports are those in which a child is not at immediate risk of abuse or neglect that could result in serious harm. Mandated reporters will be able to submit non-emergency reports twenty-four (24) hours a day without wait times.

All reports made via the online website will *require the person making the report (reporting source) to provide contact information*. A representative from the Child Abuse Hotline may contact the source for additional information, if necessary. This process will make it more convenient to meet the mandated reporting requirements and help ensure child safety.

All *emergency situations* where a child faces an immediate risk of abuse or neglect that could result in serious harm *must* still be reported by calling 911 or 1-888-SOS-CHILD (1-888-767-2445). If a reporting source is unsure as to whether or not the report is an emergency situation, the reporting source should call the Child Abuse Hotline to make a report.

Any concerns for the safety of a child due to abuse, neglect or abandonment, *must be reported*, by:

Calling 1-888-SOS-CHILD (1-888-767-2445),

TDD: 602-530-1831 (1-800-530-1831), or

Submitting *non-emergency* concerns via the Online Reporting Service at <https://dcs.az.gov/about/contacts>.

Pursuant to A.R.S. [13-3620](#), such reports shall contain, if known:

- The names and addresses of the minor, the parents, or the person or persons having custody of such minor, if known.
- The minor's age and the nature and extent of the minor's abuse, child abuse, or physical injuries or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.
- Any other information that such person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury or neglect.

A person who furnishes a report, information, or records required or authorized under Arizona Revised Statutes or a person who participates in a judicial or administrative proceeding or investigation resulting from a report, information, or records required or authorized under Arizona Revised Statutes is immune from any civil or criminal liability by reason of that action unless such person has acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.

A report is not required under A.R.S. [13-3620](#) for conduct prescribed by A.R.S. [13-1404](#) and [13-1405](#) if the

conduct involves only minors who are fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and there is nothing to indicate that the conduct is other than consensual.

A report is not required if a minor is of elementary school age, the physical injury occurs accidentally in the course of typical playground activity during a school day, occurs on the premises of the school that the minor attends and is reported to the legal parent or guardian of the minor and the school maintains a written record of the incident. The school will maintain a written record of the physical injury as part of the student's health file as required by Arizona State Library, Archives and Public Records (ASLAPR).

A person who fails to report abuse as provided in A.R.S. [13-3620](#) is guilty of a class 1 misdemeanor, except if the failure to report involves a reportable offense, the person is guilty of a class 6 felony.

Any certificated person or Governing Board member who reasonably suspects or receives a reasonable allegation that a person certificated by the Department of Education has engaged in conduct involving minors that would be subject to the reporting requirements 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 not later than three (3) business days after the person first suspects or receives an allegation of the conduct.

Any person who is employed as the immediate or next higher-level supervisor to or administrator of a person who is statutorily required to report is not required to report if the supervisor or administrator reasonably believes that the report has been made by the person who is required to report.

Any school employee who has orally reported to DCS or a peace officer a reasonable belief of an offense to a minor must provide written notification to the principal of the oral report not later than the next workday following the making of the report.

Each school that is operated by a school district and each charter school shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign that contains all of the following:

- a. In boldfaced type, the telephone number of the centralized intake hotline concerning suspected abuse and neglect of children that is established pursuant to [A.R.S. 8-455](#).
- b. Instructions to call 911 for emergencies.
- c. Directions for accessing the website of the Department of Child Safety for more information on reporting child abuse, child neglect and the exploitation of children.

DEFINITIONS

Abuse means the infliction or allowing of physical injury, impairment of bodily function, or disfigurement, or the infliction of or allowing another person to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal, or untoward aggressive behavior, and which emotional damage is diagnosed by a medical doctor or psychologist pursuant to A.R.S. [8-821](#), and which is caused by the acts or omissions of an individual having care, custody, and control of a child. *Abuse* shall include inflicting or allowing sexual abuse pursuant to A.R.S. [13-1404](#), sexual conduct with a minor pursuant to A.R.S. [13-1405](#), sexual assault pursuant to A.R.S. [13-1406](#), molestation of a child pursuant to A.R.S. [13-1410](#), commercial sexual exploitation of a minor pursuant to A.R.S. [13-3552](#), sexual exploitation of a minor pursuant to A.R.S. [13-3553](#), incest pursuant to A.R.S. [13-3608](#), or child prostitution pursuant to A.R.S. [13-3212](#).

Child, youth, or juvenile means an individual who is under the age of eighteen (18) years.

Abuses classified by statute as "reportable offenses" are:

1. Indecent exposure [A.R.S. [13-1402](#)]
2. Public sexual indecency to a minor [A.R.S. [13-1403](#)]
3. Sexual abuse [A.R.S. [13-1404](#)]
4. Sexual conduct with a minor [A.R.S. [13-1405](#)]
5. Sexual assault [A.R.S. [13-1406](#)]
6. Molestation of a child [A.R.S. [13-1410](#)]
7. Furnishing items that are harmful to a minor via the Internet [A.R.S. [13-3506.01](#)]
8. Surreptitious photographing, videotaping, filming, or digitally recording or viewing of a minor [A.R.S. [13-3019](#)]
9. Incest [A.R.S. [13-3608](#)]
10. Child prostitution [A.R.S. [13-3212](#)]
11. Commercial sexual exploitation of a minor [A.R.S. [13-3552](#)]
12. Sexual exploitation of a minor (concerning visual depiction of a minor engaged in exploitive exhibition

or other sexual conduct) [A.R.S. [13-3553](#)]

13. Luring a minor for sexual exploitation [A.R.S. [13-3554](#)]

14. Admitting a minor to public displays of sexual conduct [A.R.S. [13-3558](#)]

LEGAL

A.R.S.

[8-201](#)

[13-1404](#) *et seq.*

[13-1410](#)

[13-3019](#)

[13-3212](#)

[13-3506](#)

[13-3506.01](#)

[13-3552](#)

[13-3553](#)

[13-3608](#)

[13-3619](#)

[13-3620](#)

[13-3623](#)

[15-514](#)

[46-451](#)

[46-454](#)