Spring 1981

The Educator's Roles In The Prevention And Treatment Of Child Abuse And Neglect

John Balkovatz
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AN HONORS THESIS
SUBMITTED TO THE DEPARTMENT OF SOCIOLOGY
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE
BACHELOR OF ARTS DEGREE
IN
SOCIOLOGY

BY
John Balkovatz

HELENA, MONTANA
MARCH 26, 1981
This thesis for honors recognition has been approved for the
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March 20, 1981
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DEDICATION

To my family, without whose encouragement I would have been unable to achieve my goal of a college education.
ACKNOWLEDGEMENTS

My debts are many to faculty members and friends, who have helped me complete this study. I especially wish to thank Mrs. Margaret Stuart, who has supported me throughout my college career through her understanding, patience and invaluable advice. I also wish to thank Mr. Bob Piccalo, Mr. Hank Burgess, and Mr. Steven Meduec for the time they contributed in technical advice, editing and general encouragement. Finally to my family—Suzan, Joseph and Brea thank you for shining on my life.
THE EDUCATOR'S ROLES IN THE PREVENTION AND TREATMENT OF CHILD ABUSE AND NEGLECT

Each year in the United States, one million children are abused; five thousand die as a direct result of child abuse. Some of these children may be students in your school. As of 1978, forty states mandated that teachers and educational personnel report suspected child abuse, of which failure to report can result in criminal or civil liability. Irrespective of state law, however, educators have an obligation to act in order to prevent child abuse. (Davis, 1978)

The protection of an abused child's safety involves identification, investigation and intervention. The responsibility of teachers and school personnel is to report suspected child abuse. Responsibility for investigation to develop definitive diagnoses and to provide treatment has been specifically assigned by law to other professionals.

Teachers and other school personnel can be helpful in combatting child abuse because they have daily contact with most school children. Educators have the opportunity to identify children suspected of being abused before serious damage is done. In many ways, educators can be the primary combatants in the fight against child abuse.

We have reached a time in our society when no social issue is a problem for only one institution or group. Issues now transcend institutional, ethnic, soci-economic and governmental boundaries. Educators traditionally looked on child abuse as a problem for the medical profession, the courts, so
social welfare agencies. Such a perspective must not continue. Both common sense and morality make it clear that child abuse is also a school problem.

People in education must acknowledge the natural relationship among education, health care and family services. A teacher must not only be responsible for a child's intellectual development, but also for the child's social, emotional and physical well-being. In order to improve the quality of services for our nation's children, federal and state health and social welfare agencies also must coordinate their efforts and cooperate with local school districts. In the schools, all educational personnel must become involved.

I vigorously urge all teachers and school personnel to work in their own communities not only to enhance awareness concerning child abuse, but also to develop organizations and strategies for resolution of the problem.

We shall probably never completely eradicate child abuse, but I feel that we can curb it through the efforts of teachers throughout the nation, who will be responsible enough to assist children in peril. It is my strongest hope that educators will make a difference for the future of all children by providing them with an education characterized by equality, dignity, and concern.
CHAPTER I

INTRODUCTION

UNDERSTANDING CHILD ABUSE AND NEGLECT

NATURE OF CHILD ABUSE AND NEGLECT

Child abuse and neglect are very difficult to define, so difficult in fact, that no standard definition yet exists that is acceptable to all or even most professionals familiar with these problems. Because of the reality that child abuse and neglect do occur, a number of different definitions have been formulated for practical use, and these reflect the purpose for which they were constructed.

Every state has one or more legal definitions of child abuse and neglect in its laws to establish official reporting procedures and to define jurisdiction. Various agencies, in turn, develop their own operational definitions for reporting and accepting cases.

Definitions of abuse and neglect are based on assumptions regarding the dependent nature of children. Until children are physically and mentally mature, they are dependent on adults for survival and for appropriate socialization. Although society generally places these responsibilities on the child's parents, at the same time society grants to the
parents certain basic rights to raise their children in accordance with their personal and religious beliefs, to preserve privacy in their homes and to make decisions for their children until they are of age.

Child abuse and neglect laws are intended to place an important restriction on these rights; that is, children may not be harmed or threatened with harm as a result of their parent's behavior. Therefore, the community's prevailing values influence local definitions of child abuse and neglect, because they influence attitudes regarding adequate child care and protection of the child.

Most definitions of child abuse and neglect, have common elements. Most describe the parents' or caretakers' unacceptable acts or omissions, the intent behind the acts or omissions, and the harmful effect to the child of those acts or omissions.

The subjective reactions of professionals who come into contact with abused or neglected children are also an important element in defining abuse and neglect, because these subjective reactions will affect the way in which the definition is applied and interpreted. The individual's subjectivity is influenced by a number of factors, including cultural values, personal values, and professional training.

Not only because of the difficulty in defining abuse and neglect, but also because the use of these definitions is by nature subjective, great care must be taken in the actual
determination of abuse and neglect occurrences. It is crucial for all professionals to remember that there are large grey areas that might be considered abuse or neglect today but not necessarily tomorrow. Families may frequently pass in and out of this grey area, and this movement influences the way the family is labeled and treated.

An example of a definition that brings together many forms of abuse and neglect under one conceptual framework follows: an abused or neglected child means a child whose physical or mental health or welfare is harmed or threatened with harm by the acts or omissions of his parent or other person responsible for his welfare. (Martin, 1978)

MONTANA STATE LAW DEFINES CHILD ABUSE AND NEGLECT AS FOLLOWS:

(1) "Child" or "youth" means any person under 18 years of age.

(2) An "abused or neglected child" means a child whose normal physical or mental health or welfare is harmed or threatened with harm by the acts or omissions of his parent or other person responsible for his welfare.

(3) "Harm to a child's health or welfare" means the harm that occurs whenever the parent or other person responsible for the child's welfare:

(a) inflicts or allows to be inflicted upon the child physical or mental injury, including injuries sustained as a result of excessive corporal punishment;
(b) commits or allows to be committed a sexual assault against the child or exploits the child or allows the child to be exploited for sexual purposes.

(c) causes failure to thrive or otherwise fails to supply the child with adequate food or fails to supply clothing, shelter, education, or health care, though financially able to do so or offered financial or other reasonable means to do so; or

(d) abandons the child by leaving him under circumstances that make reasonable belief that the parent or other person does not intend to resume care of the child in the future.

(4) "Adequate health care" means any medical or non-medical remedial health care permitted or authorized under state law.

(5) "Threatened harm" means imminent risk of harm.

(6) "A person responsible for a child's welfare means the child's parent, guardian, or foster parent; an employee of a public or private residential institution, facility, home, or agency; or any other person legally responsible for the child's welfare in a residential setting.

(7) "Physical injury" means death, permanent or temporary disfigurement, or impairment of any bodily organ or function.

(8) "Mental injury" means an identifiable and substantial impairment of the child's intellectual or psychological functioning.

(9) "Dependent youth" means a youth:
(a) who is abandoned;
(b) who is without parents or guardian or not under the care and supervision of a suitable adult;
(c) who has no proper guidance to provide for his necessary physical, moral, and emotional well-being;
(d) who is destitute;
(e) who is dependent upon the public for support; or
(f) whose parent or parents have voluntarily relinquished custody of the child and whose legal custody has been transferred to a licensed agency.

(10) "Youth in need of care" means a youth who is dependent, abused, or neglected as defined in this section."

Section 2. Section 41-3-102, MCA Chapter §543, Montana Session Laws 1979. Coles: Title 41 (Minors), Part 3

EXTENT OF CHILD ABUSE AND NEGLECT

Because child abuse and neglect usually occur in the privacy of the home, no one knows exactly how many children are affected. Child abuse and neglect must be discovered and reported before the child can be protected, and there is general agreement that reporting never happens in a majority of abuse and neglect incidents.

A number of estimates has been made as to the incidence of child maltreatment, but the estimates are unproven. The National Center on Child Abuse and Neglect estimates that approximately one million children are maltreated by their
parents each year. Of these children, as many as 100,000 to 200,000 are physically abused, 60,000 to 100,000 are sexually abused, and the remainder are neglected. Moreover each year, more than 2,000 children die in circumstances suggestive of abuse or neglect. However, at present, no sure way is available to determine the exact extent of the occurrence of abuse and neglect. (Kline, 1977)

According to the Montana State Task Force on Child Abuse and Neglect in its July 1, 1978 report, a statistical analysis of child abuse and neglect is fraught with problems. In Montana, the only figures available are the number of children and families provided services by Social and Rehabilitation Services. These figures do not reflect the number of reported cases that were found to be valid or invalid, nor do they indicate whether the problem was abuse or neglect. In fiscal year 1977, 2119 families involving 3904 children were investigated by the county protective services staff and reported into the system. This represents 1.5 percent of the children in the state.

It has been estimated that only one out of four suspected incidents of child abuse or neglect is reported each year.

CAUSES OF CHILD ABUSE AND NEGLECT

No one factor accounts for child abuse and neglect, because there is a variety of manifestations and causes. Some generally accepted causes of child abuse and neglect include severe emotional pressures or psychopathologies, the
cultural heritage of violence, and burdens resulting from poverty. Instead of one factor leading to abuse or neglect, there are multiple forces on the family that reinforce each other and cause abuse and neglect. It is possible to divide these forces into four categories: individual capacities, attitudes and values, specific life situations and general community welfare. (Broadhurst, 1977)

**Individual Capacities**

Intrapersonal forces include such factors as physical health, mental health, intelligence, personality and previous life experiences. All of these forces operate in parents and children, and they reflect both innate and experiential influences. These are probably the most constant influences on behavior. (Broadhurst, 1977)

**Attitudes and Values**

A variety of cultural forces are incorporated as attitudes and values by individuals and influence families and their relationships. These forces always exist, but they change more frequently than the other forces impacting on families. These forces include attitudes toward children, changing family roles, violence, corporal punishment, economic and social competition, and religion, among others. (Broadhurst, 1977)

**Specific Life Situations**

Situational forces, either chronic or acute, may affect parents' relationships with their children. These forces can include marital relationships, employment situations, presence
of extended family members, housing conditions, financial security, and amount of social contact. If these forces have a positive effect, they can strengthen family ties, whereas if they are negative, they can reinforce any other problem that the family is experiencing. (Broadhurst, 1977)

Most families will experience a mixture of positive and negative situational forces. The type of mixture and the family's coping abilities will determine the impact of these various situational forces.

**General Community Welfare**

The general community welfare is defined largely by social institutions that affect families on various levels, depending on the purpose of the institution. For example, some institutions, including businesses, churches, schools, police, fire departments, radio, television, and newspapers, affect everyone. Some institutions, which are more problem-oriented, affect only specific groups, including such institutions as mental health departments, child welfare institutions, drug and alcohol abuse clinics, poverty or social welfare institutions. On a third level are those institutions that deal directly with problems of child abuse and neglect, such as child protective services and juvenile courts. (Broadhurst, 1977)

Any of the above institutions can have either a positive or negative effect on the occurrence of child abuse and neglect. They may contribute either to the well-being of the family and thus help to prevent child abuse and neglect, or they may
exacerbate the problems of family members and generate new crises that could cause child abuse or neglect.

Forces in Combination

Child abuse and neglect are most likely to occur when there is a combination of negative forces affecting the family. These forces work together and reinforce each other. Such a combination can be quite devastating, especially for a family that is not as well equipped to cope with problems as most other families.

EFFECTS OF CHILD ABUSE AND NEGLECT

Child abuse and neglect can result in permanent and serious damage to the physical, emotional, and mental development of the child. The physical effects of child abuse and neglect may include damage to the brain, vital organs, eyes, ears, arms or legs. These injuries may, in turn, result in mental retardation, blindness, deafness or loss of a limb. Abuse or neglect may cause arrested development. At its most serious, abuse or neglect may result in the death of a child.

Child abuse and neglect often are as damaging emotionally as they are physically. Abused or neglected children may be impaired in self concept, ego competency, reality testing, defensive functioning, and overall thought processes. They also often have a higher level of aggression, anxiety, low impulse control, and self-destructiveness. These characteristics can cause abused or neglected children to display high levels of antisocial behavior as they become older.
Abuse and neglect also may result in restricted cognitive development. Language, perceptual, and motor skills often are under-developed, further hindering the child's chances to succeed.
CHAPTER II

WHY EDUCATORS SHOULD BE INVOLVED

Many reasons can be stated as to why educators become involved in child abuse/neglect treatment/prevention. Among them is the fact that educators work with and for children; that law and policy command educator involvement, and professional responsibility demands it; and that educators have a deep sense of personal commitment to the children in their care.

SCHOOL AND COMMUNITY ISSUES

The most practical reason for educators to become involved in the identification, treatment, and prevention of child abuse/neglect is that child abuse/neglect are part of the everyday reality of working with and for children. Since abused and neglected children may be found in almost every school in the country, educators are in a unique position to help those children, their families, child protective services, and the community in overcoming the effects of child abuse and neglect.

Abuse and Neglect of Schoolage Children

The fact that abuse and neglected children may be found in any classroom in any school in every community across the nation is a compelling reason for educators to become involved
in child abuse and neglect treatment and prevention. For many years, it was thought that child abuse and neglect was a problem primarily of the very young child -- the child under three. Recent research, the results of longitudinal studies, and better data-gathering, however, now indicate that more than half of the abused and neglected children in America (probably more than 500,000 nationwide) are of school age. In some instances, a child may have been abused or neglected prior to reaching school age, but these situations may not come to anyone's attention until the child enters school. For that reason, if for no other, schools and educators must take an active role in child abuse and neglect treatment and prevention.

Child Abuse and Neglect as a Responsibility of Schools

Schools are the only places in which children are seen daily over periods of time by professionals trained to observe the children's appearance and behavior. Not only does the school setting offer a continuation of time for observation, it also offers the unique opportunity to compare and contrast behaviors that are unusual with those that are not unusual. Educators often are aware that something is not right with a child long before severe physical injury occurs. Properly prepared educators can offer a keen case-finding and management tool in the very place where children are to be found most often.

Sometimes educators are overwhelmed at the thought of
the schools taking on yet another responsibility, and one that at first glance seems so far removed from learning. However, more and more frequently the school is coming to be viewed not only as a place for educating youth, but as a resource, a means of meeting many other needs of children. That trend is likely to continue.

The Impact of Child Abuse and Neglect on Learning

Child abuse and neglect is clearly related to learning. Research has indicated that abused and neglected children often demonstrate significant learning problems and below grade-level performance in key academic areas. If schools are truly to teach, they cannot ignore the reasons why children can not learn. Dyslexic children, or children who are mentally impaired or physically handicapped, are given special attention by the schools in an effort to enhance their learning. Indeed, federal law requires that schools provide education for these children. The abused or neglected child is entitled to no less.

Child Abuse and Neglect as a Community Problem

There is a community issue that directly affects the schools. Child abuse and neglect is a community problem; its solution requires community action. As a focal point in the community, the school must be prepared to do its part. The problem of child abuse and neglect will not be solved without the involvement of the educator and the school. Educators must indicate their willingness to help, and the community must make children welcome. Otherwise a valuable tool will
be lost, and the school, the very agency offering the greatest hope for the prevention of child abuse and neglect, will remain outside the mainstream of community action to reduce child abuse and neglect. (Salus, 1977)

LEGAL ISSUES

The force of law supports the involvement of educators in child abuse and neglect detection. In fact, educators will find that many state laws provide penalties for not reporting suspected abuse and neglect — in a sense a penalty for not being involved. Additionally, many local school policies require the involvement of educators in child abuse and neglect.

State Laws on Reporting Child Abuse and Neglect

Most states require the reporting of suspected child abuse and neglect by educators. The range of educators required to report is broad, including principals, teachers, counselors, school nurses, and staff of residential institutions, day care centers, and summer camps. In those states that mandate reporting of suspected child abuse and neglect by "any person", school support services personnel, such as school secretaries, bus drivers, health aides, and custodial staff also are included.

In Montana, the law reads as follows: Section 6. Section 41-3-201

(1) When the professionals and officials listed in subsection two know or have reasonable cause to suspect that a child known to them in their professional or official capacity
is an abused or neglected child, they shall report the matter promptly to the Department of Social and Rehabilitation Service or its local affiliate, which then shall notify the county attorney of the county where the child resides.

(2) Professionals and officials required to report are:

(a) physician, resident, intern, or member of a hospital's staff engaged in the admission, examination, care, or treatment of persons;

(b) a nurse, osteopath, chiropractor, podiatrist, medical examiner, coroner, dentist, optometrist, or any other health or mental health professional;

(c) Christian Science practitioner and religious healers;

(d) school teachers, other school officials, and employees who work during regular school hours;

(e) a social worker, licensed day-care center, or any other licensed child-care facility;

(f) foster care, residential, or institutional worker; or

(g) a peace officer or other law enforcement official.

(3) Any person may make a report under this section if he knows or has reasonable cause to suspect that a child is abused or neglected.

(4) No person listed in subsection two may refuse to make a report as required in this section on the grounds of a physician-patient or similar privilege if the person came into possession of such information as a result of his treatment
of the child.

**Non-reporting Penalties & Reporting Immunity From Liability**

Many states provide penalties for those mandated to report suspected child abuse and neglect, but who fail to do so. These penalties may include fines of up to $1,000 or prison sentences of up to one year, or both. On the other hand, every state provides immunity from civil liability and/or criminal penalty for those who report suspected child abuse and neglect, provided the report has been made in good faith.

In other words, the law is relatively simple. In general, it not only requires the involvement of educators in child abuse and neglect problems, but also provides protection to those educators who become involved and penalizes those who fail to meet obligations.

Montana law grants immunity from liability for anyone reporting child abuse or neglect unless the person reported in bad faith or with a malicious purpose. (See Section 9, Section 41-3-203 MCA).

Any person, official, or institution required by law to report known or suspected child abuse or neglect or required to perform any other act who fails to do so or who prevents another person from reasonably doing so is civilly liable for the damages proximately caused by such failure or prevention. (Section 15, Montana State Law)

One knows his/her duty to report. If one fails to perform that duty, the abused or neglected child or his representative
has a cause of action against that person for any injuries received after you gained your knowledge.

The Governor's Task Force on Child Abuse and Neglect recommend imposing a criminal penalty for failure to report. However, during the legislative session, discussion of that provision suggested that no one would believe they would be prosecuted for such a crime when the public is often outraged by what seems to be a "failure" to prosecute "real" criminals. People testified before legislative committees that people DO respond to threats of negligence suits. If you fail to report, what is any continued pain and suffering worth to the victim? What is the cost of repairing the injury, physically and mentally? Surely no one would want to find this out. Report and you're immune. Fail to report and you're liable.

Local Policy

Local policy also may support the involvement of educators in the identification and treatment of child abuse and neglect. There is a growing trend across the nation for school systems and Boards of Education to enact child abuse and neglect policies and regulations. These policies usually support state law by requiring educators to report suspect child abuse and neglect. Such policies proved for periodic staff development or for representation on a community-child-abuse-and-neglect-case-consultation team (may be designated by a number of different names including multidisciplinary teams or child protection teams); direct that staff support Child Protective
Services (CPS) by participating in CPA's initial investigation; or offer direct service to involved families. Thus, in many communities administrative regulations also require the involvement of educators in the child abuse and neglect problem. For an example of a model policy for schools in responding to child abuse and neglect, see Appendix B. (Prior to adoption of any policy, be sure it is in compliance with existing state laws.) (Broadhurst, 1978)

ETHICAL ISSUES

At the heart of the question of educators' involvement in the child abuse and neglect problem may well be the ethical basis of the profession itself. Some of the strongest reasons for involvement come from the professional responsibilities, basic principles of justice and democratic ideals, and the personal commitment of educators to the well-being of the children and families they serve.

Professional Responsibility

Educators should have a keen sense of professional responsibility to the children in their care. They should be concerned about these children, about their health, safety, and happiness. Educators should be aware that they are models and examples for the children they teach, and they are the only readily available source of support, concern, and caring for many children. Educators should want to do what is best for the children in their care because their professional standards require it.
Justice and Democratic Ideals

In a very real sense, educators should be symbols of the American principles of "justice for all". They should teach responsibility and respect for the democratic ideals of equal protection under the law and duty to uphold the law. When it comes to abused and neglected children, educators are obligated to practice what they teach. Ethics require their involvement in child abuse and neglect prevention and treatment.

Personal Commitment

For many educators, their professional responsibility and respect for the law are supported by a deep personal commitment which must not be underestimated, for without it, child abuse and neglect prevention and treatment efforts can be no more than superficial academic exercises. It is this sense of personal responsibility to and for children that is perhaps the strongest reason for educators to become involved in the struggle against child abuse and neglect.
CHAPTER III

RECOGNIZING CHILD ABUSE AND NEGLECT IN THE CLASSROOM SETTING

Each form of child abuse and neglect -- physical abuse, neglect, sexual abuse, and emotional maltreatment -- can be found among school-age children. Sensitive educators often can identify a particular type of maltreatment through the child's appearance or behavior at school, or during routine interviews with parent or child by recognizing physical and behavioral indicators. Academic and psychological clues also can provide some evidence of possible maltreatment.

Physical indicators of child abuse and neglect are indicators that usually are readily observable. These indicators may be mild or severe, but they involve the child's physical appearance. Frequently, physical indicators are skin or bone injuries, or evidence of a lack of care and attention manifested in conditions such as malnutrition.

Educators are trained observers of children's behavior. They should be sensitive to the range of behavior expected among children from a given group and quick to notice behaviors that fall outside this range. Particularly for the educator, behavior often can be a clue to the presence of child abuse and neglect. Behavioral indicators may exist alone or may accompany
- clustered, forming regular patterns, or reflective of the article used to inflict them (electrical cord; belt buckle)
- on several different surface areas (indicating the child has been hit from different directions)
- regularly noted as fading marks when the child returns to school after an absence, weekend, or vacation

* Unexplained burns

- cigar or cigarette burns, especially on the soles of the feet, palms of the hands, back or buttocks
- immersion or "wet" burns, including glove- or sock-line burns and doughnut-shaped burns on the buttocks or genitalia
- patterned or "dry" burns which show a clearly defined mark left by the instrument used to inflict them (e.g., electrical burner; iron)
- rope burns on the arms, legs, neck or torso

* Unexplained fractures

- to the skull, nose, or facial structure
- in various stages of healing (indicating the occurred at different times)
- multiple or spiral fractures
- swollen or tender limbs
- any fracture in a child under the age of two

* Unexplained lacerations and abrasions

- to the mouth, lips, gums or eyes
- to the external genitalia
- on the backs of the arms, legs, or torso

* Unexplained abdominal injuries

- swelling of the abdomen
- localized tenderness
- constant vomiting
<table>
<thead>
<tr>
<th>Type of CA/N</th>
<th>Physical Indicators</th>
<th>Behavioral Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHYSICAL ABUSE</td>
<td>Unexplained bruises &amp; welts - 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 surface areas - regularly appear after absence, weekend or vacation</td>
<td>Wary of adult contacts - Apprehensive when other children cry - Behavioral extremes - aggressiveness, or - withdrawal</td>
</tr>
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<td></td>
<td>Unexplained burns: - cigar, cigarette burns, especially on soles, palms, 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 structures - in various stages of healing - multiple or spiral fractures Unexplained lacerations or abrasions - to mouth, lips, gums, eyes - to external genitalia</td>
<td>Frightened of parents Afraid to go home Reports injury by parents</td>
</tr>
<tr>
<td>PHYSICAL NEGLECT</td>
<td>Consistent hunger, poor hygiene, inappropriate dress Consistent lack of supervision, in dangerous activities or long periods Unattended physical problems or medical needs Abandonment</td>
<td>Begging, stealing food Extended stays at school (early arrival and late departure) Constant Fatigue, Listlessness or falling asleep in class Alcohol or drug abuse Delinquency (e.g., thefts) States there is no caretaker</td>
</tr>
<tr>
<td>Type of CA/N</td>
<td>Physical Indicators</td>
<td>Behavioral Indicators</td>
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<tr>
<td>SEXUAL</td>
<td>Difficulty in walking or sitting</td>
<td>Unwilling to change for Gym or participate in physical education</td>
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<td>Torn, stained or bloody under-clothing</td>
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<td>Pain or itching in genital area</td>
<td>Withdrawal, fantasy or infantile behavior</td>
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<td>Bruises or bleeding in external genitalia, vaginal or anal areas</td>
<td>Bizarre, sophisticated, or unusual sexual behavior or knowledge</td>
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<td>Venereal disease, especially in pre-teens</td>
<td>Poor peer relationships</td>
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<td>Pregnancy</td>
<td>Delinquent or run-away</td>
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<td>Speech disorders</td>
<td>Reports sexual assault</td>
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<td>Failure-to-thrive</td>
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<td>EMOTIONAL</td>
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<td>MALTREATMENT</td>
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- Attempted suicide
* Human bite marks, especially when they appear adult size or are recurrent (Kline, 1975).

Behavioral Indicators of Physical Abuse

Conduct also can indicate the presence of child abuse and neglect. Abused and neglected children may demonstrate certain characteristic behavior or conduct, which can be spotted by the sensitive educator. For the adolescent particularly, behavior may be the only clue to child abuse and neglect. These behaviors may exist independent of or in conjunction with physical indicators. (Kline, 1975)

The following are some of the behavior patterns that may be associated with physical abuse. The educator should be alert for the child who:

* is wary of physical contact with adults. In the classroom, most children accept physical closeness to a teacher. The abused child often will avoid it, sometimes even shrinking at the touch or approach of an adult;

* becomes apprehensive when other children cry;

* demonstrates extremes in behavior -- extreme aggressiveness or extreme withdrawal, for example -- behavior which lies outside the range expected for the child's age group;

* seems frightened of the parents;

* states he/she is afraid to go home, or cries when it is time to leave; or

* reports injury by a parent (Kline, 1975).

NEGLECT

Neglect involves inattention to a child's basic needs such as food, clothing, shelter, medical care, and supervision.
While physical abuse tends to be episodic, neglect tends to be chronic. When considering the possibility of neglect, it is important to note the consistency of indicators. Do they occur rarely or frequently? Are they chronic (there most of the time), periodic (noticeable after weekends or absences), or episodic (seen twice this semester when there was illness in the family)? In a given community or sub-population, do all the children display these indicators or only a few? Is this culturally acceptable child-rearing, a different life-style, or true neglect? Answers to questions like these can be extremely helpful in differentiating between neglect and differing ways of life. (Kline, 1975).

Physical Indicators of Neglect

Physical indicators of neglect include:

* constant hunger, poor hygiene, or inappropriate clothing;
* consistent lack of supervision, especially when engaged in dangerous activities or over extended periods of time;
* constant fatigue or listlessness
* unattended physical problems or medical needs, such as untreated or infected wounds; or
* abandonment.

Behavioral Indicators of Neglect

The educator should be alert for the child who:

* is begging or stealing food;
* constantly falls asleep in class;
* rarely attends school;
* comes to school very early and leaves very late;
Behavioral Indicators of Emotional Maltreatment

The emotionally maltreated child may demonstrate the following behavioral characteristics (Protective Services and Emotional Neglect. Max Wald. Denver: The American Humane Association, 1961, pp. 6-7):

* habit disorders such as sucking, biting, rocking, emesis or feeding disorders;

* conduct disorders including withdrawal and anti-social behavior such as destructiveness, cruelty, and stealing;

* neurotic traits such as sleep disorders and inhibition of play;

* psychoneurotic reactions including hysteria, obsession, compulsion, phobias, and hypochondria;

* behavior extremes such as appearing overly compliant, extremely passive or aggressive, very demanding, or undemanding;

* overly adaptive behaviors that are either inappropriately adult (parenting other children for example) or inappropriately infantile (rocking, head-banging, or thumb-sucking, for example);

* lags in emotional and intellectual development; or

* attempted suicide.

The behavior of emotionally maltreated and emotionally disturbed children is similar. However, parental behavior can help to distinguish disturbance from maltreatment. The parents of an emotionally disturbed child generally accept the existence of a problem; they are concerned about the child's welfare and are actively seeking help. The parents of an emotionally maltreated child, on the contrary, often blame the child for the problem (or ignore its existence), refuse all offers of help, and are unconcerned about the child's welfare.
* is addicted to alcohol or other drugs;
* is engaging in delinquent acts such as vandalism or theft; or
* states that there is no one to care for or look after him/her.

SEXUAL ABUSE

Sexual abuse includes any contacts or interactions between a child and an adult in which the child is being used for the sexual stimulation of the perpetrator or another person. Sexual abuse also may be committed by a person under the age 18 when that person is either significantly older than the victim or when the perpetrator is in a position of power or control over another child.

Physical Indicators of Sexual Abuse

Sexual abuse often is not discovered in a school setting through physical indicators alone. Frequently, a child confides in a trusted teacher or counselor or nurse whom he or she has been sexually assaulted or molested by a caretaker, and that may be the first sign that sexual abuse is occurring. (Kline, 1975)

The following physical signs should be observed:

* difficulty in walking or sitting;
* torn, stained, or bloody underclothing;
* complaints of pain or itching in the genital area;
* bruises or bleeding in external genitalia, vaginal, or anal area;
* venereal disease, particularly in child under 13; or
* pregnancy, especially in early adolescence.
The sexually abused child may:

* appear withdrawn, engage in fantasy or infantile behavior; even appear retarded;
* have poor peer relationships;
* be unwilling to change for gym or to participate in physical activities;
* engage in delinquent acts, or run away;
* display bizarre, sophisticated, or unusual sexual knowledge or behavior; or
* state he/she has been sexually assaulted by a caretaker.

EMOTIONAL MALTREATMENT

Emotional maltreatment includes blaming, belittling, or rejecting a child; constantly treating siblings unequally; and persistent lack of concern by the caretaker for the child's welfare. Emotional maltreatment is rarely manifested in physical sign, particularly in the normal school setting. Speech disorders, lags in physical development, and failure-to-thrive syndrome (which is a progressive wasting away usually associated with lack of mothering) are physical indicators may not be immediately apparent.

While emotional maltreatment does occur alone, or often accompanies physical abuse and sometimes sexual or abuse. Emotionally maltreated children are not always physically abused. Physically abused children, however, are almost always emotionally maltreated. (Kline, 1975)
GENERAL INDICATORS OF ABUSE AND NEGLECT

There are some indicators that, rather than signaling the presence of one particular type of abuse or neglect, may be general signs that the child is experiencing abuse and/or neglect at home. The general indicators include academic clues and emotional/psychological clues.

Academic Clues

Academic performance can signal the presence of child abuse and neglect. This is particularly true when sudden changes in performance are present.

Previously good students who suddenly seem disinterested in school, or who are no longer prepared for class, may be emotionally maltreated. Athletes who suddenly refuse to change for gym class may be concealing evidence of beatings. Children whose broken glasses have not been replaced may no longer have someone looking after them.

Recent studies have revealed a relationship between child abuse and neglect and certain learning problems. For example, delays have been reported in the acquisition of language and of gross motor skills among abused children. In a study of abused children in Utah, the majority were found to be below grade level in reading, spelling, and math. In addition, according to the same study, three times the expected number were placed in Special Education Classes.

In a study of 328 children adjudicated "dependent" in Los Angeles, it was found that 25 percent of the abused children
and 64 percent of the neglected children demonstrated delay in motor development. Thirty-nine percent of the abused children and 72 percent of the neglected children demonstrated delay in language development. In academic performance, 53 percent of the abused and 82 percent of the neglected children were rated "Below Average" or "Failing".

Other researchers have associated abuse with diminished intellectual capacity, but whether the diminished capacity preceded or followed the abuse is not clear. Research does indicate however, that the child who is physically handicapped or mentally impaired is at a statistically greater risk of child abuse and neglect than the normal child. In some instances, the handicapped child may be viewed as a disappointment, a burden, or proof of the parents' "failure". Special educators will want to be sensitive to the particular stresses that having a handicapped child can produce in some families. It is well known that children whose physical needs and problems are ignored may experience learning difficulties. Children who are always hungry, or who cannot see the blackboard or hear the teacher because needed glasses or hearing aids have not been provided, cannot learn well, and this inability to learn will be reflected in academic achievement.

Of course, academic difficulties may have a variety of causes and the presence of an academic problem does not prove that child abuse or neglect exists. However, the possibility of child abuse and neglect must be considered — along with other possible causes — when the problem is assessed.
Emotional/Psychological Clues

Educators are sensitive to the child who is "different", whether learning disabled, handicapped, or whatever. That sensitivity can be extended to abused and neglected children who also may appear to be different.

Educators must be alert to children who are disparate exceptions. Such children may be hostile and angry, effectively alienating all who come in contact with them. Or, they may be completely passive, withdrawn and uncommunicative. In any case, they represent extremes in the expected range of behavior, attitude, and affect.

Sudden changes in a child's emotional or psychological well being also may be a clue to child abuse and neglect. The previously happy child who is now sullen and angry all the time may be reflecting changes in the family's home life. The previously gregarious child, who is now uncommunicative, may be concealing something upsetting.

Children are often barometers of family life, i.e., when things are fine, stormy when they are not. A sudden change in attitude or affect does not prove that child abuse and neglect exists. Maltreatment, however, should be one of the possibilities considered when the problem situation is assessed.

RECOGNIZING CHILD ABUSE AND NEGLECT THROUGH INTERVIEWS

For an educator, a good deal of important information about a family can be gathered from routine conversations with parents and children. Parents and children often will reveal details
of family life, discuss methods of discipline, or directly ask for help with a problem in talking with a classroom teacher, school administrator, nurse, or counselor.

Conversations with the parent can provide clues to how the parent feels about the child. The presence of child abuse and neglect may be indicated if the parent constantly:

* blames or belittles the child;
* sees the child as "bad", "evil", a "monster";
* finds nothing good or attractive about the child;
* seems unconcerned about the child;
* fails to keep appointments or refuses to discuss problems the child may be having in school;
* misuses alcohol or other drugs; or
* behaves in a bizarre or irrational way.

The educator who knows a child's family is in a better position to gauge whether a problem may be child abuse and neglect or something else; a chronic condition or a temporary situation; something the school can readily handle; or a problem that demands outside intervention. Family circumstances also may provide clues regarding the possible presence of abuse or neglect. When families are isolated from friends, neighbors, or family, or where there is no apparent "life-line: to which a family can turn in times of crisis, the risk of abuse or neglect increases. Crises in marital, economic, emotional, or social factors a family should be assessed carefully as possible causes of family stress.

Sometimes, when considering the possibility of child abuse
and neglect, the educator may want to talk with parent or child about a particular incident. Such a conversation is appropriate, provided it is done objectively carefully, and professionally.

**Talking With the Child**

When it is necessary to talk with a child concerning a possible inflicted injury or condition of neglect, the interviewer must keep in mind that the child may be hurt, in pain, fearful, or apprehensive. The child must be made to feel as comfortable as possible under the circumstances.

The interviewer should be a person the child trusts and respects. While the interviewer may be joined by a colleague, groups of interviewers should be avoided. The conversation should be conducted in a quiet, private, non-threatening place, free of interruptions. The school library, a conference room, or an office are possible choices. The child should be put at ease, and the interviewer should sit near the child, not behind a desk or table.

Children should be assured that they are not in trouble, that they have done nothing wrong. Children often feel, or are told, that they are to blame for their own maltreatment and for bringing "trouble" to the family. Therefore, it is important to reassure children that they are not at fault.

The child should be told that the conversation is confidential. If it is going to be necessary to inform others as to some of what the child has said, this should be made clear.
The child should be assured that only essential information will be shared with appropriate authorities and that other teachers and the child's classmates will not be told about what has happened.

Questions and discussion should be in language the child understands. If in describing something -- a incident of sexual assault, for example -- the child uses a term with which the interviewer is not familiar (a word for a part of the body, for example) the interviewer should ask for clarification or have the child point to the part discussed. The interviewer should not disparage the child's choice of language; rather, the interviewer should use the child's terms to put the child at ease and to avoid confusion.

The interviewer is not an inquisitor. Children should not be pressed for answers or details they are unwilling or unable to give. Answers should not be suggested to the child, and when the essential information has been gathered, the conversation should be concluded. Under no circumstances should the interviewer indicate horror, disgust, anger, or disapproval of parents, child, or the situation.

If a child wishes to show his/her injuries to the interviewer, he/she should be allowed to do so. If a child is unwilling to show an injury, however, the interviewer should not insist. At no time should children be forced to remove clothing.

If, as a result of the conversation, further action is to be taken, the child should be told what will happen and when.
If nothing will happen for many days or weeks, the interviewer may wish to refer to future action, but delay giving the child details until just before hand. The interviewer should assure the child of support and assistance throughout the process and should follow through on the assurances. Under no circumstances should the child be asked to conceal from the parents that the conversation has taken place or that further action is contemplated.

Sometimes, during the course of an official investigation into a report of suspected child abuse and neglect, a worker from Child Protective Services (CPS) will need to interview a child at school. If this occurs, the school should provide a private place for the interview, and someone from the school whom the child trusts should be present throughout the interview. If it is necessary for the CPS worker to remove the child from school for a medical examination, the school may wish to request a written release from the worker.

**Talking With the Parents**

There are several points at which educators may wish to communicate with parents about suspected child abuse or neglect. Communication might be indicated in order to comprehend the family situation more readily. Parents also may be contacted to inform them that the school has made a report of suspected child abuse and neglect. It is never appropriate for an educator to contact a parent in an effort to "prove" a case of maltreatment by accusations or demands for explanation.
Thought should be given to the most appropriate person to meet with the parents. In some cases, this will be the classroom teacher. In others, the principal or a pupil services staff member will be preferred. In still others, a combination of teacher-administrator or teacher-counselor will be best.

Parents may be apprehensive or angry at the prospect of talking with the school about injured or neglected child. It is important to make the parents as comfortable as possible. The conversation should be conducted in private, and the parents should be told at the beginning why the discussion is taking place. If any action has occurred or will occur in the near future (a report of suspected child abuse and neglect filed, for example), the parent should be told and the legal authority for the action made clear.

The interviewer should be professional, direct, and honest. If parents offer explanations, the interviewer should be sympathetic. The interviewer should never display anger, repugnance, or shock.

Parents should be assured of the confidentiality of the interview, but if some of what is discussed must be revealed to a third party, it should be made clear. The interviewer should avoid prying into matters extraneous to the subject of the interview and should never betray the child's confidence to the parents.

Parents should be assured of the school's support for
them and its continuing interest in the child. It is important not to alienate the family. Regardless of the outcome of the current situation, the school is likely to continue serving the family, perhaps for many years to come.

Whether interviewing parent or child, the educator should keep in mind that situations which appear to be maltreatment may turn out to be something else. Therefore, it is well to conduct oneself professionally by adhering to facts, by avoiding the placing of blame, or by making judgements and accusations.

Occasionally, an angry parent will come to school demanding to know why someone is "telling me how to raise my children". This is likely to happen particularly when the school has not informed the parent that it has filed a report of suspected child abuse and neglect. Parents have the right to know that a report has been made. They often feel betrayed, or that someone has "gone behind their back", when they are not told. In any case, the parents nearly always know where the report has come from, and attempts at concealment only anger them further.

Should angry parents appear at school, they should be handled exactly as any other parent angry over any matter -- a failing grade, for example -- is handled. In addition, the legal obligation to report, should be stressed and the school's concern for the child reaffirmed.

Increasingly, schools are making it routine practice to notify parents when a staff member submits a report of sus-
pected child abuse and neglect. The notification is firm, but kind. It states the legal authority for the report, and casts no blame. Parents are told to expect a visit from CPS or some other investigating agency and offered the support and concern of the school. (Schools that have instituted this procedure report good results). Parents are less hostile and resentful when they understand that the school has a legal obligation it must fulfill. In addition, they often appreciate an expression of concern or an offer of support at a time that, after all, is a very difficult one for them.

JOINT SCHOOL-COMMUNITY ADULT EDUCATION PROGRAMS

Joint school-community adult education programs can be offered. Such programs might discuss alternative means of discipline, adolescence, or early childhood growth and development. School buildings can be made available for day care, crisis care and after-school care programs operated by social service agencies. School staff can serve as consultants, leaders, or facilitators of these programs. School newsletter can be used to announce them.

In short, the school offers a wealth of resources for child abuse and neglect prevention efforts. All that is needed is the school's willingness to offer them and the community's willingness to accept them.

INDIVIDUAL ACTION

Individual educators have a role in preventing child abuse and neglect. They may be involved in preventing a
recurrence of child abuse and neglect in a particular family, or they may be involved in broad based community efforts aimed at primary prevention of child abuse and neglect.

Reporting and Support

Educators may be involved in preventing the recurrence of child abuse and neglect in a particular family when they report suspected child abuse and neglect. By filing a report, educators begin the process of help that will ultimately provide protection for the child and assistance to the family. Educators may also provide direct support to both child and family throughout the treatment and rehabilitation phases. Such support may take the form of special services or a warm supportive school environment for the child. Educators may help parents to locate specific community resources (or directly providing supportive services to them.)

The Impact of the Educator on the Family

Educators must consider how their own actions effect family functioning. If behavior management is a point of contention between parent and child, an angry note from the school that the child has misbehaved in class may not be productive of anything but increased risk for the child. It may be better to meet with the parent to decide together on techniques of behavior management that can be used at home and in school.

If grades are an issue, a conference to discuss academic performance may be a better choice than sending home a report.
card with a failing grade.

Whenever possible, the educator should stress the child's positive performance, while suggesting ways to improve any negative aspects. Reiterating the child's faults may merely reinforce the child's negative self-image and confirm the parent's view of the child as a disappointment. But underlining the child's good points will increase the child's self-confidence and sense of success. Further, it will indicate to the parent that the child is a worthwhile and capable person, someone to be proud of.
CHAPTER IV

REPORTING CHILD ABUSE AND NEGLECT

The involvement of educators in the reporting of child abuse and neglect is supported by federal standards and regulations, state laws, and local policies and procedures. Each of these levels provides authority for, encourages or mandated educator involvement in the reporting process by stating what is required of the educator and how that obligation is to be fulfilled.

FEDERAL STANDARDS AND REQUIREMENTS

At the federal level, there are some pertinent standards and regulations that are directly applicable to reporting of child abuse and neglect by educators. They include the Federal Standards for Child Abuse and Neglect Prevention and Treatment Programs and Projects (hereafter referred to as the Federal Standards) from the National Center on Child Abuse and Neglect (NCCAN), the Federal Family Educational Rights and Privacy Act (FERPA) of 1974, and the Head Start Policy Manual from the Department of Health, Education, and Welfare (DHEW).

Federal Standards

In 1973, the National Center on Child Abuse and Neglect issued their draft Federal Standards. These standards are not regulations which must be complied with; rather, they are
standards of good practice which should be followed by any agency wishing to have an effective, well-balanced child abuse and treatment program.

The draft Federal Standards represent the culmination of a long process of review and analysis of current practice. They encompass a broad range of topics such as reporting procedures, treatment approaches, prevention programs, and coordination of public and private programs, and they include guidelines for achieving change. Standards applicable to the educational system are listed in Appendix A. Educators are urged to consult these standards as they plan child abuse and neglect programs of their own.

Federal Family Educational Rights and Privacy Act of 1974

The Federal Family Educational Rights and Privacy Act of 1974 (FERPA), which governs the release of information from school records, does not bar the reporting of suspected child abuse and neglect by educators. In the majority of the cases, however, educators will be relying not on school records, but on their own personal knowledge and observations when reporting a case of suspected child abuse and neglect. Since no school records are involved in these cases, FERPA does not apply.

In a small number of cases, however, it may be necessary to consult school records in order to determine whether a report of suspected child abuse and neglect should be made. Ordinarily parental consent is required before information contained in school records can be released. However, there are exceptions
which can apply in the case of suspected child abuse and neglect.

Prior parental consent is not required when disclosing information from school records if a "health or safety emergency" exists. It is the position of NCCAN and the Fair Information Practice Staff (the DHEW unit which administers FERPA) that child abuse and neglect generally may be considered a "health or safety emergency": if the state definition of child abuse and neglect is limited to situations in which a child's health or safety is endangered. Further, NCCAN and the Fair Information Practitioner Staff have agreed that responsibility for determining whether a "health or safety emergency" exists must be made by the school official involved, on a case-by-case basis. Thus, if a school official determines that an emergency exists, information contained in school records can be disclosed without parental consent and without violating the provisions of FERPA.

Another exception to the prior consent rule exists if the release of information contained in school records is made to:

State and local officials or authorities to such information is specifically required to be disclosed pursuant to State statute adopted prior to November 9, 1974. Most state child abuse and neglect reporting statutes both require reporting by educators to state or local authorities and were enacted prior to November, 1974.

Thus, in the majority of states, release of information from school records to state or local CPS agencies is permitted
under FERPA. Educators should check with legal counsel to be certain whether a particular state enacted a reporting law prior to November 19, 1974, and to determine whether this exception to FERPA provisions applies in their jurisdiction.

A final exception to the prior parental consent rule is provided in FERPA Section 99. This section provides that any information contained in a school record may be released without parental consent to:

comply with a judicial order or lawfull issued subpoena; Provided that . . . (the school) makes a reasonable effort to notify the parent . . . in advance of compliance.

STATE LAW

Each of the 50 states, the District of Columbia, and the U.S. territories have child abuse and neglect reporting statutes. While each of these laws differs from the others in one or more ways, all share a common framework. In general, state reporting statutes define child abuse and neglect, specify who must report it, to whom it must be reported and the form and content of the report. Because of the wide diversity in laws, particularly with regard to the definition of child abuse and neglect, and because of the need for accuracy, educators are advised to obtain a copy of their own state's reporting statute and to study its provisions carefully. A review of major points contained in most laws follows.

Who Reports

Currently, most states specifically require educators to report suspected child abuse and neglect. Just who is con-
considered an educator varies from state-to-state, but among those included are: teachers, principals, administrators, school nurses, guidance counselors and pupil personnel workers on any school, whether public or nonpublic.

What to Report

It is necessary to consult state statutes to be certain just what is considered maltreatment in a particular jurisdiction. However, most states include in their definition of child abuse and neglect some form of nonaccidental physical injury, neglect, sexual abuse and emotional maltreatment (sometimes called emotional neglect or mental injury).

Most states require the reporting of suspected child abuse and neglect; no state requires the reporter to have proof that abuse or neglect has occurred before reporting. The law may specify reporting of "suspected" incidents or include the phrase "reason to believe". In any case, the intent is clear: incidents are to be reported as soon as they are noticed. Waiting for proof may involve grave risk to the child. Proof may be long in coming; witnesses to child abuse and neglect are rare, and the child's testimony may be disbelieved or inadmissible. Reports are made in terms of the child's possible condition, not in terms of an accusation against the parents. A report of suspected child abuse and neglect states that a child may be an abused child, not that the parents are child abusers. Therefore, proof is not required of the reporter. Proving the case is properly left in the hands of trained investigators.
Formerly, in Montana, the law specifically required only teachers to report when they believed that a child has been seriously injured as a result of abuse or neglect. Now, the law requires teachers, other school officials and employees who work during regular school hours to report when they have reasonable cause to suspect a child, know to them in their professional or official capacity, is an abused or neglected child. The definition of abuse and neglect has been changed so now the injury or potential injury resulting from the abuse or neglect need not be serious.

The changes in the law reflect a policy to encourage "preventative-measures" in dealing with child abuse and neglect.

**When to Report**

State statutes vary with respect to when a report must be filed. Reports may have to be made immediately, within 24 to 48 hours, or during some other specified time period. Sometimes more than one report is required -- for example -- a written and an oral report, with each report having its own specified time period. Again, it is necessary to check state statutes to be certain which provisions apply in a given jurisdiction.

Montana State Law states under Section 6 Section 41-3-201, MCA, Reports (2) that the matter shall be reported promptly.

Local school districts may wish to clarify this by establishing specific reporting deadlines as mentioned previously. Prompt reporting is essential in order to help both parent and child. A report will not necessarily lead to action to
terminate parental rights. In fact, that happens infrequently. A report will most often result in services to the family to end the harmful situation and to preserve the family unit.

**Where to Report**

Each state specifies one or more agencies as recipients of reports of suspected child abuse and neglect. Usually this agency (or one of the agencies if two or more are specified) is a department of social services, human resources, or public welfare. Other agencies mandated to receive reports may include the police department, health department, county or district attorney's office, or juvenile or district court.

The local department of social services may maintain a special child abuse and neglect unity, often called Child Protective Services (CPS). If there is no special unity, the local department itself will have CPS responsibility. The CPS unit receives and investigates all reports of suspected child abuse and neglect and may be involved in treatment and rehabilitation of families.

It is important to be certain just who receives reports of suspected child abuse and neglect in a particular jurisdiction. Requirements of confidentiality should be observed so that reports are made only to authorized persons. The state reporting statute will provide this information. An attorney should be consulted if questions arise.

**How to Report**

Statutes vary with regard to the form and contents of
reports of suspected maltreatment. All states require that either an oral or a written report or both be made to the agency specified as responsible for child abuse and neglect. When two reports are required, the oral report is usually required immediately, with the written report following within 24-48 hours.

Some state statutes will specify just what information is to be submitted in a report of suspected child abuse and neglect. Usually this includes:

- Child's name, age and address; Parent's name and address; Nature and extent of injury or condition observed; Reporter's name and location ( sometime not required, but extremely valuable to the CPS unit).

In some states additional information is required. This may include evidence of previous injury to the child or to another child in the same family; any information which would aid in establishing the cause of the injury; and any information which would aid in identifying the person responsible for the injury.

According to Section 6, Section 41-3-201, MCA (5) in the Montana State Law, the report (written or oral) shall contain:

- (a) The names and addresses of the child and his or her parents or the other persons responsible for his or her care;

- (b) to the extent known, the child's age, the nature and extent of the child's injuries, including any evidence of previous injuries;

- (c) any other information that the maker of the report believes might be helpful in establishing the cause of the injuries or showing that willful neglect and
the identity of the person or persons responsible therefore; and

(d) the facts which led the person reporting to believe that the child has suffered injury or injuries or willful neglect.

Making a report is not the same as filing a criminal complaint. Reporting will trigger an investigation. Often, no legal action will follow. Social services may be offered to a family to handle the problem. Will the reporter have to go to court? That question has no sure answer. It may be possible. It could be necessary in order to assure that protective services are provided to a child.

The Montana State Law does not specifically require the reporter to identify him or herself, but identification is very important to the investigating caseworker since she or he may need additional information to complete the investigation.

DIFFICULTIES WHICH MAY BE ENCOUNTERED WHEN REPORTING

A report of suspected maltreatment is not an accusation. It is a request for the process of help to begin. But the reporting process does not always go smoothly. Difficulties may be encountered which can prove a bar to reporting or can discourage continued involvement in child abuse and neglect.

Personal Feelings

One of the biggest obstacles may be personal feelings. Some people just do not want to get involved; others may feel parents have the right to treat children in any way they wish. Generally, once it is understood that involvement is required and the child abuse and neglect differ from acceptable child-
rearing practice, much of this reluctance disappears.

The better acquainted we are with people the closer people are to us, and the more difficult it is for us to admit people may have a problem. This is true for suspected child abuse and neglect as well. It may be extremely difficult for an educator to face the fact that the son of a colleague or the daughter of a neighbor has been abused or neglected. This is a natural feeling, but it must be overcome. The law does not exclude the children of friends and acquaintances from its protection.

**SCHOOL-COMMUNITY PROGRAMS**

School-Community partnerships for the welfare of children have existed for years, and the role of the child advocate is not a new one for the educator. What is now is that this partnership for the first time is including abused and neglected children. Although implementing new programs and making changes requires effort, it is altogether fitting that the school and community together serve as advocates for these children. Traditionally advocates for special children's programs have been parents of the children in need. For the abused child, someone other than the parent must assume this function. A school-community partnership is the logical choice.

**Training & Staff Development Programs**

Cooperative efforts between school and community can be an effective means of preventing child abuse and neglect. Training and staff development programs for all who work with children are an excellent starting point. These programs should stress
identification, reporting, treatment and prevention of child abuse and neglect; should furnish information of professional roles and responsibilities in case management; and should offer opportunities for free and open discussion of like interests and problems among professionals in various fields.

Public Awareness Programs

Schools can also participate in public awareness programs through PTA groups and other school and community organizations. By increasing public sensitivity to child abuse and neglect, schools can help to develop a number of concerned individuals who will press for needed resources, programs and funding for child educators. Many special programs for the handicapped, learning disabled and other children with special needs began this way.
CHAPTER V

THE SURVEY

PURPOSE

In today's school systems, educators are the primary providers of education. The decisions they make affect the student's social, psychological, and physical well-being.

This paper is an overview of the educator's role in the problem of child abuse. This paper explains why educators should be involved in the prevention of child abuse, provides a working knowledge of what child abuse is and what the educator's obligations are under the law. It explains how the child abuse prevention and treatment system works. The purpose of this survey is to explore educator's attitudes and knowledge as to their understanding of child abuse and neglect within the school system.

REVIEW OF THE LITERATURE

This writer could locate no previous studies of educator's attitudes and knowledge regarding child abuse. With the general lack of information on the subject, the writer had little assistance available to establish, a base for this survey.

The Lewis & Clark Child Protection Project under the direction of Mr. John Ilgenfritz proved helpful in providing general
knowledges as to understanding the role of educators. The survey results came from information gained both in interviews with professionals and from books.

BACKGROUND OF THE STUDY

In speaking to a variety of educators in the Helena area. This writer was impressed with the encompassing concern about the educators' orientation toward child abuse within the Helena School System. It is felt that without educators' support, child abuse prevention within the Helena School System could not exist for any given period time. The educators would necessarily provide a general knowledge and understanding of child abuse and also provide continuing support to the student and family throughout the problem period.

ASSUMPTIONS

Education in the prevention of child abuse is the primary purpose of this paper. This writer feels the concept of child abuse can and will be implemented in this community as a satellite of the county welfare agency, and will become available to educators, parents and students. The understanding of child abuse and neglect should be supplemented by the child abuse section of the county welfare agency. This will provide primary information on the subject of child abuse within the school system. Future expansion of child abuse education within the school systems will assist in the creation of a better understanding as to the importance of this subject.

SAMPLE

Stratified sample was selected from each of the population:
High School, and Capital High School. The educator's were stratified into five areas, counselor's, administrator's, teachers, school nurses, and others (please specify). A sample was drawn from each school listed above.

The questionnaire was developed through interviews with professionals as well as advisors to the thesis. Selected schools were contacted by letter explaining the purpose of the survey and asking permission for the questionnaire to be distributed throughout the school. The time required for completion of the questionnaire ranged from 5 to 7 minutes.
Table 5-1

C. R. Anderson Elementary

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Table 5-2

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Table 5-3

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* CC - Counselor  
AA - Administrator  
TT - Teacher  
SN - School Nurse  
OO - Other

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* CC - Counselor  
AA - Administrator  
TT - Teacher  
SN - School Nurse  
OO - Other
### Jim Darcy Elementary

**Total no. of questionnaires distributed**: 20  
**Total no. of questionnaires completed**: 14

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### Jefferson School

**Total no. of questionnaires distributed**: 15  
**Total no. of questionnaires completed**: 9

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### Table 5-7

**Helena High School**

Total no. of questionnaires distributed 60  
Total no. of questionnaires completed 31

* CC - Counselor  
AA - Administrator  
TT - Teacher  
SN - School Nurse  
00 - Other

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### Table 5-8

**Capital High School**

Total no. of questionnaires distributed 50  
Total no. of questionnaires completed 27

* CC - Counselor  
AA - Administrator  
TT - Teacher  
SN - School Nurse  
00 - Other

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RESULTS

The results of this survey on child abuse and neglect indicate a general lack of knowledge and understanding among educational personnel regarding this subject.

This writer observed various elements of concern among the study population. Teachers and school nurses seem to have the least knowledge about child abuse and neglect. Administrators and counselors, on the other hand, appear to comprehend better than anyone else the significance of child abuse and neglect. It should be noted that school nurses know the least about child abuse and neglect. This writer finds it odd that nurses are trained in the detection and reporting of suspected child abuse cases, yet they scored the lowest on the survey.

It is clear that all school personnel included in this survey need to utilize any and all training and education in the prevention of child abuse and neglect.

Nearly all educational personnel surveyed conceded the value and need for child abuse and neglect educational services, for students as well as for themselves. There appears to be a great deal of uncertainty and skepticism concerning the survey's results. A majority of the population felt the results of the survey do not present a clear enough picture as to their knowledge on the subject of child abuse and neglect. One enigmatic point to come out of this survey was the confusion and ambiguity surrounding the results of this survey. School
nurses and teachers were embarrassed by their low scores on the survey.

This researcher must admit a limited bias in the survey. It was felt that some schools collaborated in responding to the questionnaires. Some persons also held a negative attitude toward the survey because they felt belittled by a researcher's testing their knowledge.

It is evident from this survey that attitudes represent established ways of thinking and a combination of one's experience. They affect the way one conducts him or herself in interactions with peers and superiors. Attitudes are very difficult to ascertain. They can be observed in a person's actions or personalities. Because this survey was somewhat formal, this researcher feels all attitudes relevant to child abuse and neglect were not expressed.

Educational personnel enjoy both self-flattery and self-criticism with the notion that the society is not only child-oriented, catering to every whim of its smallest members, but also a youth focused country that asks only to satisfy its youngest citizens. The reality of the existence and degree of incidence of abuse among these same children flourishing belies any such smug and comforting illusion. Long promised the right to life by their society and government, many children are denied that right on a daily basis.
APPENDIX

CHILD ABUSE & NEGLECT QUESTIONNAIRE

TO ENHANCE THE VALUE OF THIS QUESTIONNAIRE PLEASE ANSWER THE QUESTIONS TO THE BEST OF YOUR ABILITY WITHOUT CONSULTING COLLEAGUES OR REFERENCE MATERIALS. THIS QUESTIONNAIRE HOPEFULLY WILL ASSIST US IN EVALUATING OUR EFFORTS IN FURTHER ENLIGHTENING EDUCATORS ON THE PROBLEM OF CHILD ABUSE & NEGLECT. IN ADDITION, IT HOPEFULLY WILL PROVIDE US GUIDANCE IN THE DEVELOPMENT OF FUTURE PRESENTATIONS. THANKS FOR YOUR COOPERATION. FEEL FREE TO COMMENT ON THE BACK.

Respondent's Occupation: ___Counselor; ___Administrator; ___Teacher; ___School Nurse; ___Other (please Identify)________

___ I attended the Child Abuse Presentation

___ I did not attend the Child Abuse Presentation

My school is a ___High School; ___Junior High School; ___Elementary.

TRUE/FALSE SECTION (Circle correct response)

1. T F Most child abusers are severely emotionally disturbed.

2. T F Proof of abuse or neglect is required before a report can be made.

3. T F If one parent abuses a child, the other parent is often unaware of it.

4. T F For an incident to be considered child abuse it must be deliberate and result in physical injury to the child.

5. T F Most abusive parents have unrealistic expectations regarding their children.
6. T F A parent or child's behavior alone may suggest abuse or neglect.

7. T F Foster care is usually better for the abused child than having the child remain in the home.

8. T F Mild cases of child abuse and neglect should be reported.

9. T F Many persons who neglect their children simply lack adequate information about their child's needs.

10. T F My responsibility to report is fulfilled by reporting to the building principal or the school nurse.

11. T F If I suspect that a child is being abused or neglected and fail to report, I can be sued.

MULTIPLE CHOICE SECTION  (circle all correct answers)

1. In Lewis & Clark County what percentage of the reported cases ever reach court?
   a) 10% to 15%  b) 25% to 30%  c) 50%

2. Potential effects of neglect on a child's development include:
   a) physical defects;  b) anti-social behavior;
   c) emotional problems;  d) learning problems

3. When a report is made the reporter must identify him/herself?
   a) yes, always;  b) no, not according to Montana State Law;
   c) only if sexual abuse is involved.

4. According to Montana State Law, suspicions of child abuse must be reported to:
   a) the sheriff;  b) the county attorney;  c) welfare;
   d) your principal

5. In my opinion the problem of child abuse and neglect in the Helena area is being:
   a) overstated;  b) understated;  c) reflected accurately
BIBLIOGRAPHY


BIBLIOGRAPHY - continued


Soeffing, M. Abused children are exceptional children. Exceptional Children, 1975, 42, 126-133.


