



**IDEA PUBLIC SCHOOLS POLICY ON SEXUAL ABUSE, SEX TRAFFICKING,  
AND OTHER MALTREATMENT**

The Superintendent shall develop and publish a plan for addressing sexual abuse, sex trafficking, and other maltreatment of children as required by Texas Education Code 38.0041. Such plan shall include:

1. Methods for increasing staff, student, and parent awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim of sexual abuse, sex trafficking, or other maltreatment, using resources developed by the Texas Education Agency (“TEA”);
2. Actions that a child who is a victim of sexual abuse, sex trafficking, or other maltreatment should take to obtain assistance and intervention; and
3. Available counseling options for students affected by sexual abuse, sex trafficking, or other maltreatment.

IDEA Public Schools shall provide employee training concerning prevention techniques for and recognition of sexual abuse, sex trafficking, and all other maltreatment of children, including the sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities. The training:

1. Must be provided, as part of a new employee orientation, to new IDEA Public Schools employees, including counselors and coaches, and other professional staff members according to a schedule adopted by the TEA until all employees have taken the training; and
2. Must include training concerning:
  - a. Factors indicating a child is at risk for sexual abuse, sex trafficking, or other maltreatment;
  - b. Likely warning signs indicating a child may be a victim of sexual abuse, sex trafficking, or other maltreatment;
  - c. Internal procedures for seeking assistance for a child who is at risk for sexual abuse, sex trafficking, or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;
  - d. Techniques for reducing a child’s risk of sexual abuse, sex trafficking, or other maltreatment; and
  - e. Community organizations that have relevant existing research-based programs that are able to provide training or other education for school district or open-enrollment charter school staff members, students, and parents.

IDEA Public Schools shall maintain records that include the name of each staff member who participated in the training.



If the Superintendent or designee determines that IDEA Public Schools does not have sufficient resources to provide the training required under this policy, IDEA Public Schools shall work in conjunction with a community organization to provide the training at no cost to IDEA Public Schools.

*Education Code 38.0041.*



## IDEA PUBLIC SCHOOLS POLICY ON REPORTING CHILD ABUSE & NEGLECT

### Sec. 1. REPORTING CHILD ABUSE OR NEGLECT

Any IDEA Public Schools officer, director, employee, agent, volunteer or contractor having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse, maltreatment or neglect by any person shall **immediately** make a report (within 48 hours or less) to at least one of the following authorities after learning of facts giving rise to the cause to believe:

1. A local or state law enforcement agency;
2. The Texas Department of Family and Protective Services ("DFPS"), Child Protective Services Division;
3. A local office of Child Protective Services, where available; or
4. The state agency that operates, licenses, or registers the facility in which the alleged child abuse or neglect occurred.

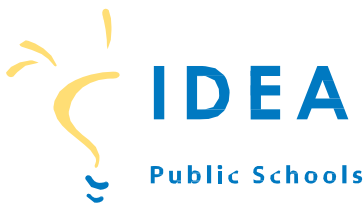
If a professional has cause to believe that a child has been abused, maltreated or neglected or may be abused, maltreated or neglected, or that a child is a victim of an offense under Penal Code 21.11 (Indecency with a Child), and the professional has cause to believe that the child has been abused as defined by law, the professional shall make a report **not later than the 48th hour** after the hour the professional first suspects that the child has been or may be abused or neglected or is a victim of an offense under Penal Code 21.11. A professional **may not delegate to or rely on** another person to make the report. For purposes of this policy, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children.

A report should reflect the reporter's belief that a child has been or may be abused or neglected or has died of abuse or neglect. The person making the report shall identify, if known:

1. The name and address of the child;
2. The name and address of the person responsible for the care, custody, or welfare of the child; and
3. Any other pertinent information concerning the alleged or suspected abuse or neglect.

If the suspected abuse or neglect involves a person responsible for the custody, care or welfare of the child, the report must generally be made to the DFPS. All other reports should be made to any local or state law enforcement agency, the DFPS, the Texas Education Agency (if abuse or neglect occurred at school), another state agency where the abuse or neglect occurred, or an agency designated by a court responsible for protection of children.

*Texas Family Code, Chapter 261; 19 TAC 100.1211.*



## **Sec. 2. TRAINING**

The Superintendent or designee shall ensure that training on child abuse and neglect is provided as required by law.

Training concerning prevention techniques for, and recognition of, sexual abuse, trafficking, and all other maltreatment of children, including the sexual abuse, trafficking, and other maltreatment of children with significant cognitive disabilities, must be provide as a part of new employee orientation to all new IDEA Public Schools employees and to existing IDEA Public Schools employees not previously trained as required by Texas Education Code § 38.0041. The training must include:

1. Factors indicating a child is at risk for sexual abuse, trafficking, or other maltreatment;
2. Warning signs indicating a child may be a victim of sexual abuse, trafficking, or other maltreatment;
3. Internal procedures for seeking assistance for a child who is at risk for sexual abuse, trafficking, or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;
4. Techniques for reducing a child's risk for sexual abuse, trafficking, or other maltreatment; and
5. Information on community organizations that have relevant research-based programs that are able to provide training or other education for IDEA Public Schools staff, students, and parents.

IDEA Public Schools must maintain records that include the name of each staff member who participated in training.

## **Sec. 3. RETALIATION PROHIBITED**

IDEA Public Schools may not suspend or terminate the employment of, discriminate against, or take any other adverse employment action against a person who is a professional, as that term is defined by Texas Family Code 261.101(b), and who in good faith:

1. Reports child abuse or neglect to:
  - a. The person's supervisor;
  - b. An administrator of the facility where the person is employed;
  - c. A state regulatory agency; or
  - d. A law enforcement agency; or
2. Initiates or cooperates with an investigation or proceeding by a governmental entity relating to an allegation of child abuse or neglect.



“Adverse employment action” means an action that affects an employee’s compensation, promotion, transfer, work assignment, or performance evaluation, or any other employment action that would dissuade a reasonable employee from making or supporting a report of abuse or neglect.

*Texas Family Code 261.110.*

#### **Sec. 4. POSTING INFORMATION**

Using a format and language that is clear, simple, and understandable to students, IDEA Public Schools shall post, in English and in Spanish:

1. The current toll-free DFPS Abuse Hotline telephone number;
2. Instructions to call 911 for emergencies; and
3. Directions for accessing the DFPS website ([www.txabusehotline.org](http://www.txabusehotline.org)) for more information on reporting abuse, neglect, and exploitation.

This information shall be posted at each IDEA Public Schools campus in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students. The information must be on a poster (11.17 inches or larger) in large print and placed at eye-level to the student for easy viewing. The current toll-free DFPS Abuse Hotline telephone number should be in bold print.

#### **Sec. 5. ANNUAL REVIEW**

The Board shall annually review policies for reporting child abuse and neglect. *19 Tex. Admin. Code § 61.1051(b).*

#### **Sec. 6. COMPUTER TECHNICIAN REPORTS OF CHILD PORNOGRAPHY**

Any computer technician employed by IDEA Public Schools who, in the course and scope of employment or business with IDEA Public Schools, views an image on a computer that is or appears to be child pornography must immediately report the discovery to a local or state law enforcement agency or the Cyber Tipline at the National Center for Missing and Exploited Children. The report must include the name and address of the owner or person claiming a right to possession of the computer, if known, and as permitted by federal law.

Except in a case of willful or wanton misconduct, a computer technician may not be civilly liable for reporting or failing to report the discovery of an image. A computer technician who intentionally fails to report an image may be subject to criminal prosecution. *Business & Commerce Code 110.002.*