



THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

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Information Only

TO: All Principals and Department Heads

FROM: Janis Andrews, Ed.D. *JA.*
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SUBJECT: **Changes in the Law for Reporting Child Abuse**

In 2012 Legislative session, the Legislature enacted several changes to Florida law relating to reporting child abuse and became effective October 1, 2012.

What does this mean at a school setting?

- If any adult, including an employee or a student who is 18 or older, abuses or is reasonably suspected of abusing a child, report it.
- If you are aware of any sexual encounter between an adult (including a student 18 or older) and a child (under 18 years of age), report it. Further, awareness of sexual activities occurring between students, including students with a disability, report it.
- If there is knowledge or reasonable suspicion that a student is the victim of a known or suspected **juvenile sexual offender**, report it. Further, under current DCF rules, "Child protective investigators shall respond to all reports of **child-on-child sexual abuse where the alleged juvenile sexual offender is age twelve or younger.**"
- If there is a **fight** between an 18 year old student who strikes a student who has not reached majority age, report it.

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CHANGES IN THE LAW FOR REPORTING CHILD ABUSE

Report immediately, DCF will decide whether to investigate. If prior reports of similar incidents have not been accepted by DCF, because they have stated there are no indicators of abuse, neglect or abandonment, you may contact this office for further guidance.

This information needs to be shared with all of your employees. When you inform your employee of these requirements; they should let you know if they have any questions.

The Education Code now requires teachers in grades 1 to 12 to participate in a DCF provided education training on identifying and reporting child abuse and neglect. There is a webinar sponsored by DCF on the following website: <http://www2.fl-dcf.org/RCAAN/>.

Changes and Methods of Reporting:

It is now required that any person report known or reasonably suspected child abuse, **by any adult**, not only a parent or caregiver. Additionally, **“any person who knows, or has reasonable cause to suspect, that a child is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender...shall report such knowledge or suspicion”** to the Department of Children & Families (DCF). The District’s Professional Standards website provides guidance on how to report abuse to DCF (visit following website: <http://www.palmbeachschools.org/ps/DCF.asp>). The Legislature has increased the criminal penalties for knowingly and willfully failing to report child abuse.

The Statute defines abuse of a child as “any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired.” This includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not constitute abuse when it does not result in harm to the child. A child is defined by the Statute as “an unmarried person under the age of 18 years who has not been emancipated by order of the court.”

If you have any questions on this issue, please contact the Office of General Counsel at 434-8500.

Note: DCF is currently in the process of updating its rules relating to these issues.

EWG:JA:SGW:BAH:def

Approved by: 
E. Wayne Gent, Superintendent