

Guidance for Texas School Administrators on Addressing Child Abuse, Neglect, & Trafficking

District administrators play an important role in the prevention, recognition, and reporting of child abuse, neglect, and human trafficking. As an administrator, you are in a position to make a positive impact on the lives of the children in your district by implementing policies and practices that support faculty and staff in recognizing and reporting concerns of abuse and that support local authorities in investigating these reports.

Guidance for School Administrators:

Know the laws regarding reporting suspected child abuse and neglect. School administrators should understand the reporting requirements outlined in Texas Family Code Chapter 261 and the penalties associated with failing to report suspected abuse and neglect. The State Board for Educator Certification (SBEC) may take action against an educator's certification for failing to report or hindering the reporting of abuse (Texas Administrative Code § 249.15).

Adopt required policies. School districts and open-enrollment charter schools must adopt policies addressing reports of child abuse, neglect, and trafficking and policies addressing sexual abuse, sex trafficking, and other maltreatment of children (Texas Education Code §§ 38.004, .0041). The reverse side of this resource contains more detailed information about these required policies.

Ensure that all school employees receive required training. School administrators must ensure that all employees are formally trained on the prevention and recognition of sexual abuse, sex trafficking, and all other maltreatment of children, including children with significant cognitive disabilities, and must maintain records of each employee's participation in training. The training should be provided to all new employees as part of their orientation and to all current employees not previously trained, and must include:

- Risk factors for sexual abuse, sex trafficking, and other maltreatment;
- Warning signs indicating a child may be a victim;
- Internal procedures for supporting a child who might be at risk;
- Techniques for reducing a child's risk; and
- Information about applicable community organizations that can provide training and resources to students, staff, and parents (Texas Education Code § 38.0041).

Be familiar with applicable training requirements for superintendents and board members.

- Each member of the board of trustees of an independent school district must complete one hour of training every two years in identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children (Texas Education Code § 11.159).
- Superintendents must complete two and a half hours of training every five years on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children (Texas Education Code § 21.054).

Provide programs for students. Each school district must provide child abuse anti-victimization programs in elementary and secondary schools (Texas Education Code § 38.004). In accordance with Texas Administrative Code § 61.1051, each school district and open-enrollment charter school must adopt policies that include programs consisting of age-appropriate, research-based prevention designed to promote self-protection and prevent sexual abuse and trafficking.

Post signs with the child abuse hotline number. Each public school and open-enrollment charter school must post a sign at each campus that includes the Department of Family and Protective Services (DFPS) hotline number and website, along with instructions to call 911 for emergencies and that meets the requirements outlined in Texas Education Code § 38.0042. The sign must be posted in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students, such as a cafeteria, library, or locker room. CACTX and TEA have worked together to create a poster that conforms to the required specifications. Contact your local CAC to request copies.

Your Local CAC Can Help

There are over 70 children's advocacy centers (CACs) throughout Texas that provide a safe place where child victims of abuse can begin their healing process. Contact your local CAC to find out how they can help support your district in meeting training requirements for employees and in providing anti-victimization programs for students.

Visit cactx.org to find your local CAC.



Guidance for Required Policies:

Policies Addressing Reports of Child Abuse, Neglect, and Trafficking: Each school district and open-enrollment charter school must adopt a policy governing the reports of child abuse, neglect, and trafficking in accordance with Texas Education Code § 38.004 and Texas Administrative Code § 61.1051. The policy must follow the requirements outlined in Chapter 261 of the Texas Family Code and must also notify personnel of:

- Penalties for failure to report suspected child abuse or neglect;
- Prohibitions against interference with an investigation, including laws that prohibit school officials from denying an investigator's request to interview a student at school (Texas Family Code §§ 261.302, .303) or from requiring the presence of a parent or school administrator during an interview by an investigator (Texas Family Code § 261.302);
- Immunity provisions and confidentiality provisions for reporters;
- Disciplinary actions associated with noncompliance with the policy; and
- The prohibition under Texas Education Code § 26.0091 against making a report based solely on refusal to consent to psychotropic drugs or psychiatric or psychological testing for their child, except as authorized under the law.

Policies Addressing Sexual Abuse, Sex Trafficking, and Other Maltreatment: Each school district and open-enrollment charter school must adopt a policy addressing sexual abuse, sex trafficking, and other maltreatment of children in accordance with Texas Education Code § 38.0041 and Texas Administrative Code § 61.1051. The policy must address:

- Methods for increasing staff, student, and parent awareness of sexual abuse, sex trafficking, and child maltreatment issues, including prevention techniques and warning signs; and
- Ways that a child who is a victim of or has been impacted by sexual abuse, sex trafficking, or other maltreatment can get help, including counseling.

Additional Requirements for These Policies:

In accordance with Texas Administrative Code § 61.1051, these policies:

- Must include the current DFPS hotline number;
- Must provide for cooperation with law enforcement and DFPS child abuse investigations without the consent of the child's parents, if necessary;
- Must be distributed to all personnel at the beginning of each school year and must be addressed in staff development programs at regular intervals; and
- May not require school personnel to consult with an administrator prior to making a report of suspected abuse, neglect, or trafficking.

Remember, you are required by law to report suspected child abuse and neglect. If you suspect a child is in immediate danger, call 911. For all other cases in Texas, call the abuse and neglect hotline at 1-800-252-5400.

This is a resource of Children's Advocacy Centers of Texas. For more information visit cactx.org.