

ARCHDIOCESE OF ST. LOUIS

OFFICE OF CHILD AND YOUTH PROTECTION
POLICY, PROCEDURE AND GUIDELINES

CHILD ABUSE AND NEGLECT REPORTS

JUNE 2018

INTRODUCTION

The following Policy, Procedures and Guidelines (“Policy”) have been developed by the Archdiocese of St. Louis (“Archdiocese”) to give guidance to employees, volunteers, religious, priests and deacons of the Archdiocese on the subject of making reports of child abuse to the appropriate authorities. For the purposes of this Policy, the Archdiocese of St. Louis includes schools, parishes and agencies of the Archdiocese (hereafter collectively referred to as “SPA”). The primary goal of the Archdiocese in this regard is to prevent abuse, and the primary method of prevention is education and care in the hiring and evaluation of employees and volunteers. Since the possibility of child abuse must be recognized, the *Policies and Procedures Regarding Cases of Sexual Abuse of Minors by Clergy or Other Church Personnel* and the *Registered Sex Offender Participation & Accountability Policy* also include additional information and guidance on the investigation and reporting of incidents of child abuse, as well as assistance to those affected by abuse. Please see the *Safe Environment Program Policy, Procedures, and Guidelines* for additional information regarding the prevention of child abuse and neglect.

POLICY

The Archdiocese is committed to reporting incidents of child abuse and neglect to the proper authorities in an efficient and timely manner. For purposes of this Policy, child abuse refers to physical, sexual, and emotional abuse as defined below in Section 1.2. In addition, the acquisition, possession or distribution of images of a minor for purposes of sexual gratification is considered child abuse and should be reported as such. All employees, volunteers, religious, priests and deacons working in SPAs are expected to support this Policy and to comply with the guidelines developed to implement this Policy. This Policy and these reporting requirements also apply to vulnerable adults and those who habitually lack the use of reason.

REPORTING GUIDELINES

I. REPORTING KNOWN OR SUSPECTED CHILD ABUSE AND/OR NEGLECT

The Archdiocese of St. Louis supports and complies with federal and state child abuse prevention and reporting laws. Archdiocesan policies and procedures are designed to support compliance with those laws. Questions regarding Archdiocesan policies and procedures may be directed to the Office of General Counsel, the Office of Child and Youth Protection, or the Safe Environment Program Office.

I.1 Statutes

Sections 210.110 through 210.165 of the Missouri Revised Statutes contain the law regarding child protection in Missouri. Please review the full chapters of the Missouri Revised Statutes for additional information.

I.2 Definitions

“Abuse” is defined as any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child’s care, custody and control (Missouri Revised Statutes 210.110.1).

“Neglect” is the failure to provide, by those responsible for the care, custody and control the child, the proper or necessary support, education as required by law, nutrition or medical, surgical or any other care necessary for the child’s well being (Missouri Revised Statutes 210.110.12).

“Child” is any person, regardless of physical or mental condition, under 18 years of age (Missouri Revised Statutes 210.110.4).

“Care, Custody and Control” refers to those responsible for the care, custody and control of the child, those included but not limited to the parents or guardian of the child, other members of the child’s household, or those exercising supervision over a child for any part of a twenty-four-hour day. Those responsible for the care, custody and control shall also include any adult who, based on relationship to the parents of the child, members of the child’s household or the family, has access to the child (Missouri Revised Statutes 210.110.16).

“Reasonable Cause” is a standard of reasonable suspicion, rather than conclusive proof (page 9 of Guidelines for Mandated Reported of Child Abuse and Neglect, Missouri Children’s Division).

REPORTING GUIDELINES

1.3 Mandated Reporters

Mandated reporters are those who are required by law to report suspected child abuse and neglect. This includes but is not limited to Archdiocesan personnel who have *responsibility for the care, custody and control* of children, such as:

- Principals, teachers, volunteers and other school personnel
- Employees, volunteers and other parish personnel
- Priests (except for information learned in the Sacrament of Confession)
- Deacons
- Spiritual directors
- Employees, volunteers and other personnel of agencies and offices that serve children
- Any person who has reasonable cause to suspect child abuse and neglect

Missouri law requires that a mandated reporter make the child abuse report himself/herself rather than delegating that responsibility to a supervisor. Questions regarding Archdiocesan policy on the report of child abuse and neglect may be directed to the Office of General Counsel and/or the Office of Child and Youth Protection.

1.4 Reporting Requirements

A person is required to report when he or she has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or when he or she observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect. The individual who initially suspects or observes the abuse is responsible for making the report himself/herself. The responsibility to report suspected and/or observed child abuse and neglect may not be delegated to someone else, including that person's supervisor. While a supervisor should be made aware of the circumstances and intent to make a hotline report, the responsibility of making the call falls on the individual who suspected or observed the child abuse and neglect. All adults in the Archdiocese, employed or volunteer, who have contact with children are required to complete the *Protecting God's Children* program. This program teaches participants how to identify potential or actual abuse situations.

REPORTING POLICY & PROCEDURES

II. ARCHDIOCESAN REPORTING POLICY AND PROCEDURES

All who are Mandated Reporters must report suspected cases of child abuse and neglect in accordance with existing Archdiocesan Policy and Missouri Statutes. A flow chart can be found in the following section of this document as a reference guide to help all Mandated Reporters follow the same procedures.

When it is clear that a child abuse and neglect report must be made to the Missouri Department of Social Services, Children's Division, a call will be placed to the Child Abuse and Neglect Hotline. An email report should then be sent to Tom Buckley, General Counsel, following the call to serve as documentation that a child abuse and neglect report was made. The email documentation will be maintained in a confidential file in the Office of General Counsel.

In many situations, Mandated Reporters may find that they are unsure if a child abuse and neglect report should be made to the Missouri Department of Social Services, Children's Division. In these cases it is helpful to consult with other professionals to ensure that the best decision is made, with the highest priority being placed on the safety and well-being of the child(ren) in question. In this situation school personnel should consult with the Office of Catholic Education and Formation, who may in turn consult with the Office of Child and Youth Protection, and the Office of General Counsel. The directors of these offices will confer and make a recommendation regarding the need to make a child abuse and neglect report to the Missouri Department of Social Services, Children's Division. This recommendation will be communicated to the school and/or the Office of Catholic Education and Formation. The same procedure will be followed in the case of a parish, agency or office, with the exception that the Office of Catholic Education and Formation will not be consulted.

Nothing in this Policy of these procedures is intended to inhibit Mandated Reporters from making a child abuse and neglect report to the Department of Social Services, Children's Division, if in his/her judgement a child is at risk or the Mandated Reporter believes there is a legal obligation to make the child abuse and neglect report. This Policy and these procedures are designed to assist those who are required to report abuse, to help assure that reports are made in a timely manner and to document that reports have been made.

HELPFUL CONTACT NUMBERS

MISSOURI DEPARTMENT OF SOCIAL SERVICES

CHILD ABUSE AND NEGLECT HOTLINE NUMBER: 1-800-392-3738

MISSOURI DEPARTMENT OF HEALTH AND

SENIOR SERVICES HOTLINE NUMBER: 1-800-392-0210

Sandra Price

Office of Child and Youth Protection
sandraprice@archstl.org
314-792-7271

Tom Buckley

Office of General Counsel
tombuckley@archstl.org
314-792-7076

Tom Duff

Saint Louis Counseling
tduff@ccstl.org
314-748-5673

Office of Catholic Education and Formation

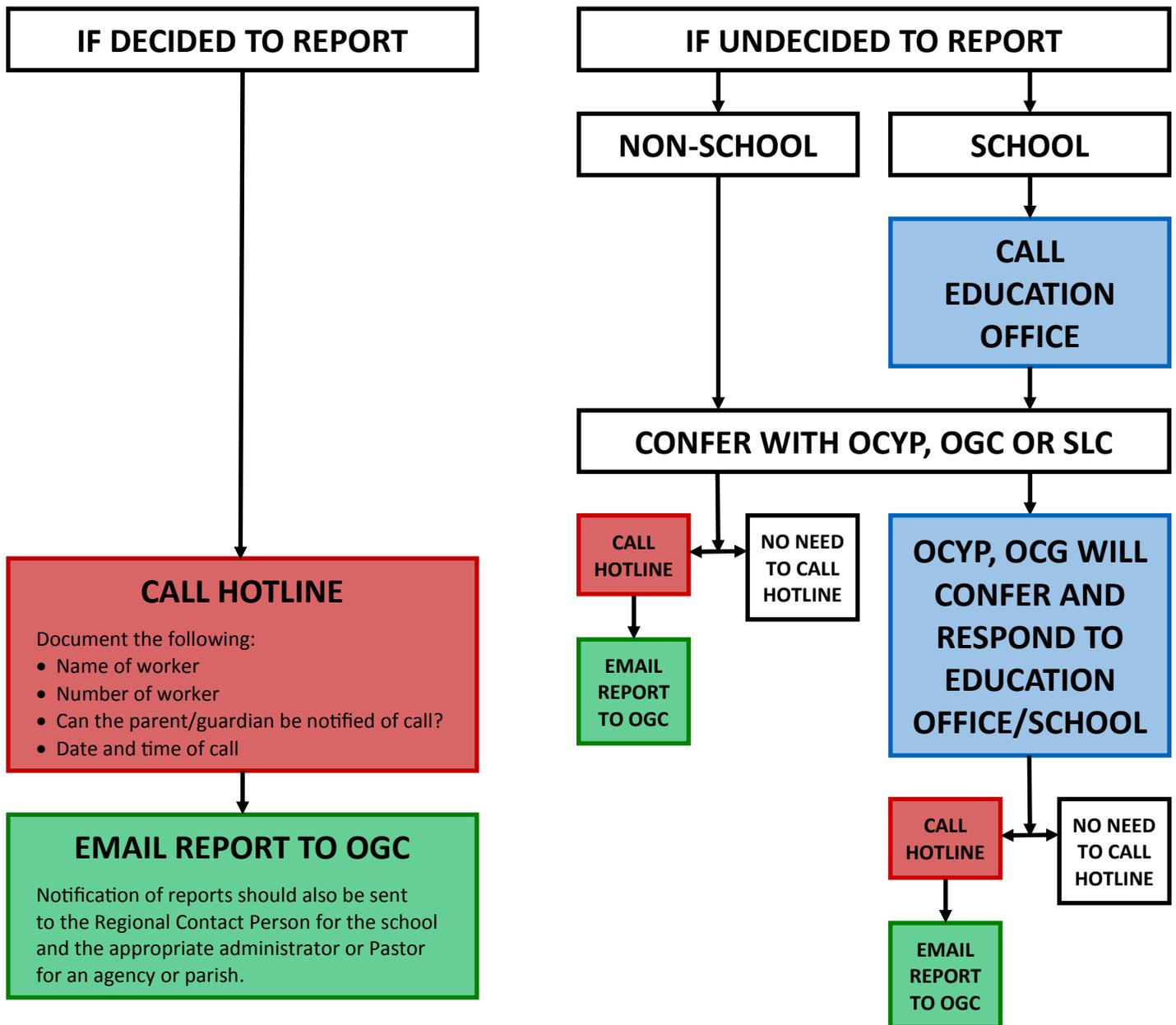
Regional Contact Person
314-792-7300

Contact Sandra Price for complete hard or electronic copies of the Missouri Revised Statutes and Missouri Guidelines for Mandated Reporters of Child Abuse and Neglect referenced in this Policy.

DECISION TO CALL MISSOURI STATE HOTLINE

MISSOURI DEPARTMENT OF SOCIAL SERVICES
CHILD ABUSE AND NEGLECT HOTLINE NUMBER:

1-800-392-3738



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