

## CHILD PROTECTION POLICY Implementation

### GUIDELINES FOR PERSONNEL WHO WORK WITH CHILDREN

---

#### Rationale

---

##### *Need & definition*

The increasing incidence of reported child abuse is a concern for the Cooperative Extension System. To address this concern CES educational programs will develop strategies to increase and disseminate knowledge about the prevention and treatment of child abuse. Child abuse is nonaccidental physical injury caused by the acts or omissions of the child's parents or caretakers. *(See Appendix 3 for Idaho Code.)* Idaho CES strives to provide a safe environment for youth participating in its' programs. Consistent with the educational role of extension, personnel can assist children in potentially abusive situations by providing information to one or all of the following who work with children: salaried and volunteer staff; parents, caregivers and children who might be affected. Throughout these guidelines, faculty and staff are considered synonymous.

---

##### *Procedures*

#### Staff Training

---

##### *Orientation*

1. New salaried and volunteer staff will participate in an orientation program that includes written materials explaining Extension policies, guidelines and procedures related to child abuse. They will acknowledge by their signature having received and read appropriate policies, guidelines, procedures and codes of conduct.
2. Basic information about how to identify signs of possible child abuse will be provided to salaried and volunteer staff working directly with children. This information will be secured from agencies who have direct experience with child abuse. These agencies can also provide recommendations for responding to suspicion of child abuse.

---

## Staff Relations With Children

---

*Behavior for salaried  
and volunteer staff*

1. Salaried staff and volunteers are expected to have another adult present when working with children or to work with the children in a group with two or more children present. Being alone with a single child is to generally be avoided.
2. Adult salaried and volunteer staff are prohibited from having consensual sexual relationships with a child under the age of 18. Outside of Extension program activities, adult salaried and volunteer staff should not develop relationships with a child under the age of 18. The development of inappropriate relationships with children, as determined by the Extension administrator, may form the basis for discipline or dismissal as a salaried or volunteer staff member.
3. Salaried and volunteer faculty and staff will not under any circumstances discipline children by use of physical punishment or by failing to provide the necessities of care, such as food or shelter.
4. Salaried and volunteer staff should be alert to the physical and emotional state of children each time they report for a program. Signs of injury or suspected child abuse will be reported according to the requirements of the Idaho law, Idaho Code Sections 16-1619 and 16-1620. (*See Appendix 4.*)

---

## Responsibilities to Parents

---

*Steps for Extension  
personnel to follow*

1. In hiring salaried staff and screening volunteers for Extension child care and camping programs, parents should be invited to serve on interview committees.
2. Parents will be informed about their child's program participation and are encouraged to assist with Extension programs.
3. Extension will be prepared to offer printed information on child abuse and referrals to the appropriate agency(ies).

---

## Reporting Procedures

---

### *Reporting obligation*

1. When there is suspicion of child abuse, salaried or volunteer staff to whom it has been reported, or who have observed it themselves, will report to the proper state agency as specified by Idaho law, Idaho Code Sections 16-1619 and 16-1620. (See Appendix 4.) The fact that such a report has been made shall be communicated by the person making the report, to the county agent in charge or to the appropriate district directors. Reporting of suspected child abuse is a personal, professional and legal obligation.
2. Salaried extension staff will have information available and follow the reporting procedure prescribed by the local and state law within the required time period.

### *What happens if a salaried or volunteer person is involved*

3. In the event the reported incident involves an Extension salaried or volunteer person, the responsible Extension administrator should, without exception, suspend the person from all activities involving the supervision or direct contact with children. Reassignment to responsibilities where the person is not in contact with children may be appropriate. Suspension of salaried or volunteer staff will continue until the person is cleared or allegations proven, and if necessary, appropriate action is taken.
4. Regardless of where or under what circumstances the alleged incident takes place, if a salaried or volunteer staff person is involved, it will be considered as job related and affecting job performance.
5. Reinstatement of a salaried or volunteer staff person will occur only after all allegations have been cleared to the satisfaction of the responsible Extension administrator and the investigating agency.
6. Salaried and volunteer staff will be sensitive to the need for confidentiality in the handling of information. Involved staff are, and will be, instructed to discuss matters pertaining to abuse and suspected abuse only with the appropriate extension representatives.
7. Salaried and volunteer staff accused of child abuse may not contact the parent(s) of children involved in an alleged child abuse incident without the permission of the appropriate Extension administrator.

## APPENDIX #3

### CHILD ABUSE POLICY AND DEFINITIONS

**16-1601. Policy.** - The policy of the state of Idaho is hereby declared to be the establishment of a legal framework conducive to the judicial processing of child abuse, abandonment and neglect cases, and the protection of children whose life, health or welfare is endangered. Each child coming within the purview of this chapter shall receive, preferably in his own home, the care, guidance and control that will promote his welfare and the best interest of the state of Idaho, and if he is removed from the control of one (1) or more of his parents, guardian or other custodian, the state shall secure adequate care for him; provided, however, that the state of Idaho shall, to the fullest extent possible, seek to preserve, protect, enhance and reunite the family relationship. This chapter seeks to coordinate efforts by state and local public agencies, in cooperation with private agencies and organizations, citizens' groups, and concerned individuals, to:

- 1) preserve the privacy and unity of the family whenever possible;
- 2) take such actions as may be necessary and feasible to prevent the abuse, neglect or abandonment of children;
- 3) clarify for the purposes of this act the rights and responsibilities of parents with joint legal or joint physical custody of children at risk. [I.C., § 16-1601, as added by 1976, ch. 204, § 2, p. 732; am. 1982, ch. 186, § 1, p. 491; am. 1991, ch. 212, § 1, p. 500; am. 1996, ch. 272, § 1, p. .]

**16-1602. Definitions.** - For purposes of this chapter:

- (a) "**Abused**" means any case in which a child has been the victim of:
  - (1) Conduct or omission resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling, failure to thrive or death, and such condition or death is not justifiably explained, or where the history given concerning such condition or death is at variance with the degree or type of such condition or death, or the circumstances indicate that such condition or death may not be the product of an accidental occurrence; or
  - (2) Sexual conduct, including rape, molestation, incest, prostitution, obscene or pornographic photographing, filming or depiction for commercial purposes, or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child.
- (b) "**Abandoned**" means the failure of the parent to maintain a normal parental relationship with his child, including but not limited to reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of one (1) year shall constitute prima facie evidence of abandonment.
- (c) "**Adjudicatory hearing**" means a hearing to determine the truth of the allegations in the petition filed under this chapter.

- (3) To provide the child with care, education and discipline.
- (4) To authorize ordinary medical, dental, psychiatric, psychological, or other remedial care and treatment for the child, including care and treatment in a facility with a program of services for children; and to authorize surgery if the surgery is deemed by two (2) physicians licensed to practice in this state to be necessary for the child.
- (5) Where the parents share legal custody, the custodian may be vested with the custody previously held by either or parents.
- (s) "**Mental injury**" means a substantial impairment in the intellectual or psychological ability of a child to function within a normal range of performance and/or behavior, for short or long terms.
- (t) "**Neglected**" means a child:
  - (1) Who is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them; provided, however, no child whose parent or guardian chooses for such child treatment by prayers through spiritual means alone in lieu of medical treatment, shall be deemed for that reason alone to be neglected or lack parental care necessary for his health and well-being, but further provided this subsection shall not prevent the court from acting pursuant to section 16-1616, Idaho Code; or
  - (2) Whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization, or other physical or mental incapacity; or
  - (3) Who has been placed for care or adoption in violation of law.
- (u) "**Protective order**" means an order created by the court granting relief as delineated in section 39-6306, Idaho Code, and shall be for a period not to exceed three (3) months unless otherwise stated herein. Failure to comply with the order shall be a misdemeanor.
- (v) "**Protective supervision**" means a legal status created by court order in neglect and abuse cases whereby the child is permitted to remain in his home under supervision by the department.
- (w) "**Residual parental rights and responsibilities**" means those rights and responsibilities remaining with the parent after the transfer of legal custody, including but not necessarily limited to the right of visitation, consent to adoption, the right to determine religious affiliation, the right to family counseling when beneficial, and the responsibility for support.
- (x) "**Shelter care**" means places designated by the department for temporary care of children pending court disposition or placement. [I.C., § 16-1602, as added by 1976, ch. 204, § 2, p. 732; am. 1982, ch. 186, § 2, p. 491; am. 1986, ch. 84, § 5, p. 243; am. 1989, ch. 281, § 1, p. 684; am. 1989, ch. 302, § 1, p. 752; am. 1991, ch. 38, § 1, p. 76; am. 1991, ch. 212, § 2, p. 500; am. 1996, ch. 272, § 2, p. ].]

- (d) "**Authorized agency**" means the department, a local agency, a person, an organization, corporation, benevolent society or association licensed or approved by the department or the court to receive children for control, care, maintenance or placement.
- (e) "**Child**" means an individual who is under the age of eighteen (18) years.
- (f) "**Child advocate coordinator**" means a person or entity receiving moneys from the grant administrator for the purpose of carrying out any of the duties as set forth in section 16-1630, Idaho Code.
- (g) "**Circumstances of the child**" includes, but is not limited to, the joint legal custody or joint physical custody of the child.
- (h) "**Commit**" means to transfer legal and physical custody.
- (i) "**Court**" means district court or magistrate's division thereof, or if the context requires, a magistrate or judge thereof.
- (j) "**Custodian**" means a person, other than a parent or legal guardian, to whom legal or joint legal custody of the child has been given by court order or who is acting in loco parentis.
- (k) "**Department**" means the department of health and welfare and its authorized representatives.
- (l) "**Disposition hearing**" means a hearing to determine whether the best interests of the child require protective supervision or vesting legal custody of the child in an authorized agency.
- (m) "**Family or household member**" shall have the same meaning as in section 39-6303(2), Idaho Code.
- (n) "**Grant administrator**" means any such organization or agency as may be designated by the supreme court from time to time to administer funds from the guardian ad litem account in accordance with the provisions of this chapter.
- (o) "**Guardian ad litem**" means a person appointed by the court pursuant to a guardian ad litem volunteer program to act as special advocate for a child under this chapter.
- (p) "**Guardian ad litem program**" means the program to recruit, train and coordinate volunteer persons to serve as guardians ad litem for abused, neglected or abandoned children.
- (q) "**Law enforcement agency**" means a city police department, the prosecuting attorney of any county, state law enforcement officers, or the office of a sheriff of any county.
- (r) "**Legal custody**" means a relationship created by order of the court, which vests in a custodian the following duties and rights:
  - (1) To have physical custody and control of the child, and to determine where and with whom the child shall live.
  - (2) To supply the child with food, clothing, shelter and incidental necessities.