firstmethodist HOUSTON

First United Methodist Church of Houston and Affiliates Safe Sanctuary and Sexual Ethics Policies and Procedures

Table of Contents

SAFE SANCTUARY POLICY AND PROCEDURES

I.		PC	OLICIES AND PROCEDUES FOR STAFF AND VOLUNTEER WORKERS WITH CHILDREN AND YOUTH	3
	۹.		PURPOSE OF POLICIES AND PROCEDURES	3
		1.		
		2.		
		3.		
1	З.	•	REQUIREMENTS AND STANDARDS	
		1.		
		1.	a. Screening of Applicants and Workers	
			b. Qualifications of Workers	
			c. Prohibited Workers	
		2.	. Rules of Behavior	5
			a. Team Approach	
			b. Restroom Procedures for Elementary Children	6
			c. Social Media	
			d. Host Families	6
			e. Parental Permission	
			f. Overnight or Off Church Property Activities	
			g. Supervision	
			h. Corporal Punishment	
	_		i. Reporting	
	С.		WORKER TRAINING	
l	D.		RESPONDING TO ALLEGATIONS OF ABUSE AND/OR NEGLECT OF CHILDREN/YOUTH	
		1.	. Reporting	8
II.		0	THER PROCEDURES	9
	۹.	TR	RANSPORTATION PROCEDURES	9
		1.	. Vehicle Requirements	9
		2.	·	
		3.		
1	З.		PROCEDURES FOR CHILDREN/YOUTH OVERNIGHT ACTIVITIES	
		1.		
		2.		
		3.		
		-		
SEX	Ű	AL	LETHICS POLICY AND PROCEDURES	12
١.			urpose	
II.		De	efinitions	
Ш.		Re	eporting	
IV.		Re	esponse	
v.		In	vestigation and Action	

VI. Non-Retaliation

Appendix

Safe Sanctuary Policies and Procedures

1. POLICIES AND PROCEDUES FOR STAFF AND VOLUNTEER WORKERS WITH CHILDREN AND YOUTH

A. PURPOSE OF POLICIES AND PROCEDURES

First United Methodist Church of Houston and its affiliates (hereafter referred to as the "Church") are committed to providing a safe and secure environment for all children, youth, and volunteers who participate in ministries and activities sponsored by the Church. (The term "Church" encompasses First United Methodist Church of Houston and all its subsidiaries and activities, including Quillian Center and Neighbors In Action). The following procedures reflect our congregation's commitment to preserving this Church as a holy place of safety and protection for all who enter and as a place in which all people can experience the love of God through relationships with others.

The Church hereby establishes these policies and procedures for the prevention of child abuse and/or neglect within children's and youth programs and activities sponsored and/or supervised by the Church.

The purpose of these procedures is to protect the children and youth who participate in the activities of this Church, especially from the risk of abuse and neglect and to protect the persons who work with children/youth in this Church from the risk of accusation of abuse and neglect and to protect the Church's integrity both internally and within the community.

1. Applicability of Safe Sanctuary Policies and Procedures

These procedures shall apply to all activities involving children/youth, which are sponsored and/or supervised by the Church. All workers or staff assigned to such activities by the Church shall comply with and conduct themselves according to this procedure and any related policies and procedures. Any worker or staff failing to comply with or conduct themselves according to these procedures shall be subject to disciplinary action, which may include dismissal from employment and/or work with any children/youth. Any such worker shall also be subject to the church reporting inappropriate conduct to law enforcement, as appropriate.

2. Safe Sanctuary** Definitions Abuse and/or Neglect: See Appendix for legal requirements. **

<u>Children/Youth</u>: As used in this manual, children/youth shall include all minors from birth through their eighteenth birthday who are engaged in a program or activity sponsored and/or supervised by the Church.

** Safe Sanctuary is an overt expression in making congregations safe places where children, youth, and elders may experience the abiding love of God and fellowship within the community of faith. See Texas Annual Conference United Methodist Church at https://www.txcumc.org/safesanctuary.

<u>Safe Sanctuary Worker:</u> As used in this policy, a Safe Sanctuary Worker refers to a worker who is 18 years or older and has completed the requirements set forth herein to be certified as a Safe Sanctuary Worker

<u>Staff</u>: As used in this policy, Staff shall refer to any employee or intern regardless of age, who is employed in any capacity involving children/youth and must be certified as a Safe Sanctuary Worker.

<u>Worker:</u> As used in this policy, Worker shall include any person, who performs work in the Church and has contact with children/youth. This includes paid and/or volunteer work.

3. Authority to Implement and Maintain Safe Sanctuary Policies and Procedures These procedures will be implemented and maintained under supervision of the Senior Pastor in coordination with the Staff-Parish Relations Committee (SPRC). Recommendations to amend these procedures may be made from time to time, as necessary, by the Administrative Board. Upon approval, The Board of Trustees and other committees deemed responsible by the Senior Pastor will be informed and approve all amendments and/or revisions.

B. REQUIREMENTS AND STANDARDS

1. Selection and Qualification of Children/Youth Workers

a. Screening of Applicants and Workers

All applicants/staff shall be required to undergo a criminal background check. This check will be performed by Human Resources and will be retained in a secure, confidential file within the HR Department.

The responsible Director/Supervisor shall review these policies and procedures with every applicant.

At the discretion of the appropriate Director/Supervisor references may be requested on any applicant. A written copy of the reference responses is to be kept in Human Resources.

b. Qualifications of Workers

Any person who has not met all of the background check requirements and/or training requirements may not work with children/youth.

A person desiring to work with children/youth is required to:

- 1) Attend a Safe Sanctuary training in person or online.
- 2) Sign a Participation Covenant agreeing to abide by the Safe Sanctuary Policies and Procedures.

- 3) Complete all training requirements, including sexual ethics training prior to beginning an assignment with children/youth. Any person who has completed all of the application, screening and training requirements will be referred to as "Safe Sanctuary Worker."
- c. Prohibited Workers

Persons having a criminal history of any of the following types of offenses shall not be allowed to serve in any ministry with children and youth as articulated below:

- Persons who have been convicted of, placed on community supervision or probation, deferred adjudication, received pre- trial diversion, pled guilty, pled true, pled nolo contendere, or otherwise found guilty or delinquent of any offense involving child abuse of any kind (whether physical, emotional, sexual, or neglectful) including but not limited to aggravated sexual assault of a child, attempted aggravated sexual assault of a child, sexual assault of a child, attempted sexual assault of a child, indecency with a child, attempted indecency with a child, injury to a child, attempted injury to a child, assault, attempted assault, indecent exposure;
- Persons who have been convicted of, placed on community supervision or probation, deferred adjudication, received pre- trial diversion, pled guilty, pled true, pled nolo contendere, or otherwise found guilty or delinquent of any violent offense including but not limited to assault, murder, aggravated robbery, aggravated sexual assault, sexual assault or assault family violence.
- Persons who have been convicted of, placed on community supervision or probation, deferred adjudication, received pre- trial diversion, pled guilty, pled true, pled nolo contendere, or otherwise found guilty or delinquent of any offense involving impairment and driving including but not limited to vehicular homicide, vehicular assault, or driving while intoxicated within the last five (5) years immediately prior to application shall not be allowed to act as a driver.
- Persons who have been convicted of, placed on community supervision or probation, deferred adjudication, received pre- trial diversion, pled guilty, pled true, pled nolo contendere, or otherwise found guilty or delinquent of any offense involving drugs within the last five (5) years immediately prior to application shall not be allowed to participate in the event.

2. Rules of Behavior

a. Team Approach

Workers, with the exception of the "Parental Permission" exception set forth in Section (D) below, must observe the "Two Adult (non-related)" rule (2 workers per classroom, 2 workers within line of sight). Whenever reasonable, a minimum of two adult (non-related) workers shall be present during any children/youth activity.

Workers shall also follow the three-year older rule which requires at least a three-year difference between the ages of the Leaders and the children/youth. The three-year differences in ages shall apply between the Leader and the oldest age of the children/youth. Persons being closer in age to the children/youth may be acceptable Assistant Leaders.

In all instances where two adults (non-related) are not present, an "open door" policy will be observed. Any one-to-one mentoring or consulting by a Worker shall be conducted in sight of another Worker. Understanding that there is safety in numbers, one Worker can be in contact with multiple children/youth so long as he or she is in the line of sight of other Workers.

b. Restroom Procedures for Elementary Children/Youth

It is recognized by the Church that there are substantially more female Workers than male Workers. Because of the large number of female Workers versus male Workers, it will be necessary for female Workers to take male and female children to the restroom. Workers are encouraged to accompany younger children to the restroom, keeping in mind the two-adult rule (nonrelated) and team approach. Only adult Workers may accompany a child to the restroom and then, only after notifying another Safe Sanctuary Worker. At the teacher's discretion, children may go to the restroom with a buddy of the same sex.

c. Social Media

Workers are required to set healthy boundaries with children/youth when utilizing all social media platforms. The use of online platforms for specific details (the time of the meeting/clarifying what to pack) is permitted. However, Workers are encouraged to direct children/youth participants and their parents into public discussion pages, group pages or group texts instead of "friending" children/youth. Communication in all online forums must be ministry-appropriate and above reproach.

• Examples include but are not limited to: Texting, Facebook, Instagram, Twitter, Email, Snapchat, etc. (This pertains to both public and private messages.)

d. Host Families

A host family is defined as a family that has agreed to host a Church event at their home or at a location away from the Church. Any host family must complete the background check information and be provided with a copy of these policies and procedures. The appropriate Church employee shall distribute and secure the information. If the Host family has firearms they must be unloaded and stored in a locked cabinet, safe, gun vault, or storage case that is not accessible to minors in the home. No family will be allowed to be a Host Family unless every adult in the family meets the criteria for Workers in these policies and procedures.

e. Parental Permission

Workers are to obtain written parental permission including handwritten note, e-mail or text prior to spending time with children/youth alone. Verbal parental permission to spend time with children/youth is not allowed. Such Workers should also notify their group leader prior to such a situation: example, mentoring a youth at Starbucks, or picking a child up needs written approval.

Activities involving transportation provided by the church, parents of participating children/youth or Workers, or activities off the church property will require a signed parent permission form to be returned to the group leader prior to the activity. A new signed permission form will be required yearly.

f. Overnight or Off Church Property Activities

All overnight or off property activities require the prior permission of the appropriate Director/Supervisor and written permission of the parents.

g. Supervision

All children/youth activities will include adequate adult supervision from no less than 15 minutes prior to scheduled start until all children/youth are in custody of their parents (or as prior arranged by their parents with a parent permission form). Program Staff and Administrators of the Church, as appropriate, will supervise ongoing programs and may make unannounced visits into classrooms or other program sites.

h. Corporal Punishment

Corporal punishment of any kind is prohibited.

i. Reporting

Any inappropriate conduct or relationship between anyone and a member of any children's/youth group must be reported to the appropriate Director/Supervisor and Senior Pastor immediately and addressed according to the Safe Sanctuary Policies and Procedures Manual.

C. WORKER TRAINING

All Workers will be required to complete a Safe Sanctuary training in person or online. Staff will receive training annually. Volunteers will receive annual training from the age level Directors/Supervisors. Upon being selected for a volunteer or employment position, staff/volunteers will be required to complete Safe Sanctuary training prior to beginning their assignment / employment.

All Workers shall receive annual training on any changes to these policies and procedures and any new information as needed for compliance with the safe sanctuary policies of the Texas Annual Conference of the United Methodist Church. Directors/Supervisors are responsible for the attendance at this training of all Workers in their ministry area.

The training will include, but not be limited to, the following:

(a) Texas' legal definition of child abuse from the Texas Family Code.

(b) Written information describing Texas' laws regarding the reporting of suspected child abuse; and

(c) Identifying child abuse.

D. RESPONDING TO ALLEGATIONS OF ABUSE AND/OR NEGLECT OF CHILDREN/YOUTH

1. Reporting

When an adult leader of an event or activity suspects that abuse or any suspected violation of the Texas Penal Code is taking or has taken place, the Worker shall:

- Call 911 if the situation is an emergency.
- Timely report the suspected abuse to the appropriate local law enforcement agency.
- Timely report the suspected abuse to the Department of Family (DFPS) and Protective Services (800-252-5400) and report the abuse. This hotline is available 24 hours a day, 7 days a week.
- Contact the administrator or event leader immediately and cooperate fully with the investigation conducted by law enforcement officials or child protective services.
- Address any needs the child or youth may have, medical or otherwise.
- Report to the parent(s) and/or legal guardians(s), if appropriate.
- Notify the Senior Pastor.
- Carefully document the facts, including but not limited to:
 - a. The name of the adult leader observing or receiving the disclosure of abuse, including the date, time and place and any action taken by this person.
 - b. The alleged survivor's name, age, and date of birth.
 - c. Any statement made by the alleged survivor.
 - d. Nam e of the respondent, the date, time and place of any conversation or any statement made by the respondent.
 - e. Any action taken, i.e., suspension of the respondent.

- f. Date and time of call to the appropriate agency, name of worker spoken to, content of that conversation and case number assigned.
- g. Date and time of call to law enforcement agency, name of officer spoken to and content of that conversation.
- h. Date and time of any other contacts made regarding this incident.

The person suspected of abuse (respondent) shall, for the safety and well-being of the children or youth, be removed with dignity from further contact with the children and youth until an appropriate investigation has taken place. The matter shall remain confidential. If the adult event leader is the respondent, then the report should be made to that person's supervisor.

Following the report of an incident, the adult event leader, or supervisor in charge shall document the report, and then speak with the alleged survivor, being careful to use open-ended questions.

It shall be the goal to provide supportive care to both the survivor and the respondent and to restore such persons to wholeness. Supportive care can include the procedures of the criminal justice system, provisions of the current Book of Discipline, appropriate counseling referrals and continued pastoral visitation.

Confirmed reports of proven incidents of abuse shall be retained in a confidential file for future screening purposes.

This procedure prohibits retaliation against anyone who, in good faith, reports allegations of sexual abuse or neglect or assists in investigating charges. Anyone found to have participated in retaliatory actions will be subject to disciplinary action which may include termination as a volunteer or employee of First United Methodist Church of Houston.

II. OTHER PROCEDURES

A. TRANSPORTATION PROCEDURES

The following procedures are for providing transportation for children/youth to and from activities sponsored and/or supervised by the Church.

1. Vehicle Requirements

These vehicle requirements pertain to all vehicles owned or used by the Church, including those leased by the Church, personal vehicles, those provided by child/youth Workers and any external commercial vehicle provided for transportation of the children/youth.

All vehicles shall be in good running order and possess a current registration plate, a

safety inspection sticker and passenger restraints. All vehicles will have insurance coverage as required by Texas state law. All vehicles will be multi- passenger. No motorcycles, scooters, or mopeds will be allowed. No vehicle will be allowed to carry more than the passenger capacity as specified by the vehicle manufacturer.

2. Qualifications of Drivers

All drivers will be Safe Sanctuary Workers, parents of participating children/youth or licensed commercial drivers. All drivers will be pre-approved by the appropriate director.

All drivers must have a current valid state driver's license with the classification for the vehicle driven, be at least 22 years old and have 6 or more years of driving experience. Any exceptions to these requirements must first be cleared by the appropriate director. Drivers will be required to provide a copy of a driver's license and subject to periodic checks of their motor vehicle record. These records will be stored securely in Human Resources.

3. General Rules

The use of alcohol, tobacco and any substance that affects driving ability is strictly prohibited. This includes prescription drugs. Unless otherwise approved by the appropriate Church employee and the parents so informed. Drivers will obey all traffic laws, absolutely no speeding or reckless driving is allowed. Failure to do so shall disqualify them from driving for Church related activities. Witten permission will be obtained from each child/youth prior to being allowed in the vehicle. If the child/youth does not written permission, he/she will not be permitted in the transportation arranged by the Church.

When transporting children/youth, the team approach is recommended. If that is not possible, notification of the appropriate director is required.

Drivers who will transport passengers under the age of 18 must be a Safe Sanctuary Worker. While the vehicle is in motion, driver's use of cell phones, other personal electronic devices and eating are prohibited. Drivers may not drive longer than four (4) continuous hours without a minimum break of 15 minutes. Whenever possible, passengers are to load/unload through side passenger doors and on curb side only.

B. PROCEDURES FOR CHILDREN/YOUTH OVERNIGHT ACTIVITIES

These procedures cover children/youth activities, which require an overnight stay and are sponsored and/or supervised by the Church.

1. Applicability

These procedures cover any activity sponsored and/or supervised by the Church, which require an overnight stay. This includes, but is not limited to, camping, lock-ins, hotels/motels, and overnight stay in a personal dwelling.

2. Approvals

Any overnight activity requires the prior approval of the appropriate Director/Supervisor. Written Parental Permission will be required of each child/youth prior to the activity.

3. Rules of Conduct

All persons are to abide by Safe Sanctuary Policies and Procedures, including the team approach for supervision. No children/youth will be allowed away from the designated overnight area without prior permission of the group leader and the parents' written permission. Separate sleeping areas will be provided for members of the opposite sex. In hotels/motels and personal dwellings a minimum of three youth to each room with four being preferred. Safe Sanctuary Workers will provide adequate and appropriate supervision. When staying in a hotel, adults shall sleep in separate rooms from children/youth; or if necessary for children/youth to share a room with an adult, adults shall sleep in separate beds from children/youth so long as any one adult shall not be alone with any one child/youth.

Sexual Ethics Policies and Procedures

First United Methodist Church of Houston affirms *The 2016 Book of Resolutions*, Sexual Abuse within the Ministerial Relationship and Sexual Harassment within the Church, which states that sexual abuse within the ministerial relationship and sexual harassment within the church are incompatible with biblical teachings of hospitality, justice and healing. In accordance with *The 2016 Book of Discipline*, 161F, declares all human beings have equal worth in the eyes of God. As the promise of Galatians 3:26-29 states, "you are all God's children"; therefore, we as United Methodists support equity among all persons without regard to ethnicity, situation, or gender. In our congregations and settings for ministry, we seek to create an environment of hospitality for all persons, male or female, which is free from misconduct of a sexual nature and encourages respect, equality and kinship in Christ.

Sexual misconduct within the ministerial relationship involves a betrayal of trust. It is a continuum of sexual or gender-directed behaviors by either a lay or clergy person within a ministerial relationship (paid or unpaid). It can include child abuse, adult sexual abuse, harassment, rape or sexual assault, sexualized verbal comments or visuals, unwelcome touching and advances, use of sexualized materials including pornography, stalking, sexual abuse of youth or those without capacity to consent, or misuse of the pastoral or ministerial position using sexualized conduct to take advantage of the vulnerability of another. It included criminal behaviors in some nations, states and communities.

Sexual and gender harassment, sexual abuse and misconduct of a sexual nature within the life of the Church interfere with its moral mission. First United Methodist Church of Houston prohibits and will not tolerate these behaviors, which are sinful, demeaning, abusive and wrong. First United Methodist Church of Houston commits itself to fair and expedient investigation of any complaint of sexual and gender harassment, sexual abuse or misconduct of a sexual nature within the church and to take action deemed appropriate and in compliance with the latest *Book of Discipline*. Further, First United Methodist Church of Houston for Houston bears affirmative responsibility to create an environment of hospitality for all persons, male or female, which is free of these sins and encourages respect, equality and kinship in Christ.

Some instances of harassment can be resolved informally by conversation between the parties or facilitated mediation. In all other instances, the conduct must be reported as outlined in section (III) Reporting,

I. <u>Purpose</u>

First United Methodist Church of Houston and its affiliates (hereafter referred to as the "Church") is committed to providing a safe and secure environment for all individuals who participate in ministries and activities sponsored by the Church. (The term "Church" encompasses First United Methodist Church of Houston and all its subsidiaries and activities, including Quillian Center and Neighbors In Action). The following procedures reflect our congregation's commitment to preserving this Church as a holy place of safety and protection for all who enter and as a place in which all people can experience the love of God through relationships with others. Definitions (Book of Discipline, 2016)

II. Definitions

Definition of **sexual abuse** is a form of sexual misconduct and occurs when a person within a ministerial role of leadership (lay or clergy, pastor, educator, counselor, youth leader, or other position of leadership) engages in sexual contact or sexualized behavior with a congregant, client, employee, student, staff member, coworker, or volunteer (2016 Book of Resolutions). It can include coerced or forced sexual contact (including those unable to give informed consent), sexual interaction or contact with children or youth, and sexual exhibitionism or display of sexual visuals or pornography.

Definition of **sexual harassment** is any unwanted sexual or gender-directed behavior within a pastoral, employment, ministerial (including volunteers), mentor, or colleague relationship that is so severe or pervasive that it alters the conditions of employment or volunteer work or unreasonably interferes with the employee or volunteer's performance by creating a hostile environment that can include unwanted sexual jokes, repeated advances, touching, displays, or comments that insult, degrade, or sexually exploit women, men, elders, children or youth.

Definition of **gender-based harassment** is any unwelcome conduct based on an individual's actual or perceived sex. It includes slurs, taunts, stereotypes, or name-calling as well as gender-motivated physical threats, attacks, or other hateful conduct.

Sexualized behavior is behavior that communicates sexual interest and/or content. Examples include, but are not limited to, displaying sexually suggestive visual materials; use of pornography in church programs on or with church property, making sexual comments or innuendo about one's own or another person's body; touching another person's body; touching another person's body/hair/clothing; touching or rubbing oneself in the presence of another person; kissing; and sexual intercourse. Sexualized behavior can be a form of sexual misconduct when this behavior is unwanted by the recipient or witness, is a violation of society's or the Church's law, breaks the sacred trust in the ministerial role, or violates the vows taken at membership or ordination.

The continuum of behaviors called sexual misconduct within the ministerial relationship represents an exploitation of power and not merely "inappropriate sexual or gender-

directed conduct." Sexual misconduct in any form is unacceptable in church and ministry settings whether it is clergy-to-lay, lay-to-clergy, clergy-to-clergy, lay-to-lay, staff- to-staff, staff-to-volunteer, volunteer-to-volunteer, or volunteer-to-staff. Anyone who works or volunteers under the authority or auspices of the Church must be held to the highest standards of behavior, free of sexual misconduct in any form.

III. Reporting

When anyone believes that they have been the victim of sexual misconduct and/or harassment involving a member or employee of First United Methodist Church of Houston, he or she should report the allegation to the respective Director and/or Senior Pastor immediately. In addition, any person who has reason to believe that sexual misconduct by a member or employee of First United Methodist Church of Houston has occurred should promptly report the facts supporting their belief to the appropriate Director and/or Senior Pastor. If the conduct involves the Senior Pastor or another clergy person, it must be reported to the pastor's supervisor, the District Superintendent or the Bishop

IV. Response

The person accused of misconduct shall be notified that there will be an immediate investigation of the allegations.

All Clergy and Staff who are aware of the problem will:

1. Keep the matter confidential and only discuss it with those who have a need to know.

Treat each allegation seriously with respect for the privacy of all involved persons.
Cooperate fully with all investigating personnel.

V. Investigation and Action

An initial investigation will be conducted by the Senior Pastor and the Chair of the SPRC. They will make certain that all efforts at handling the investigation are documented in writing, including dates and times.

If after the initial investigation there is believed to be justification to proceed further the:

- SPRC in cooperation with the Senior Pastor will assemble a response team that will investigate the allegation and develop specific recommendations that are appropriate for each case. Investigations involving any clergy shall follow the guidelines from the latest publication of The Book of Discipline of The United Methodist Church.
- 2. The allegations will be resolved within the shortest period of time necessary to conduct a thorough investigation.
- 3. The confidences and sensitivities of all persons involved in the incident will be respected.

VI. Non-Retaliation

This procedure prohibits retaliation against anyone who, in good faith, reports allegations of sexual harassment or sexual misconduct or assists in investigating charges. Anyone found to have participated in retaliatory actions will be subject to disciplinary action which may include termination as a volunteer or employee of First United Methodist Church of Houston.

Appendix

1. Definitions

Physical Abuse

Physical injury that results in substantial harm to a child, or genuine threat of substantial harm from physical injury to a child, including an injury that is at variance with the history or explanation given and excluding an accident, or reasonable discipline by a parent, guardian, or possessory conservator that does not expose the child to a substantial risk of harm; failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to a child.

Neglectful Supervision

Placing a child in or failing to remove the child from a situation that reasonable persons would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or substantial risk of immediate harm to the child; placing a child in or failing to remove a child from a situation in which the child would be exposed to substantial risk of sexual conduct harmful to the child.

Sexual Abuse

Sexual conduct harmful to a child's mental, emotional, or physical welfare; failure to make a reasonable effort to prevent sexual conduct harmful to a child; compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Texas Penal Code; causing, permitting, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film or depiction of the child is obscene as defined by Section 43.21, Texas Penal Code, or pornographic.

Physical Neglect

The failure to provide the child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services have been offered and refused.

Medical Neglect

The failure to seek, obtain, or follow through with medical care for the child, with the failure resulting in or presenting a substantial risk of death, disfigurement, bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or function of the child.

Abandonment

Leaving a child in a situation where the child would be exposed to a substantial risk of

physical harm, without arranging for necessary care for the child, and a demonstration of intent not to return by a parent, guardian, or managing or possessory conservator of the child.

Emotional Abuse

Mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, psychological functioning; causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning.

II. **REPORTING**

The Texas Department of Family and Protective Services (DFPS) is the agency to call for suspected abuse or neglect. Child Protective Services (CPS), a division of DFPS, is responsible for conducting civil investigations of alleged abuse or neglect by caregivers or household members. You may also report suspected abuse or neglect to any local or state law enforcement agency.

To report to DFPS, call the 24-hour, toll-free abuse hotline at 1-800-252-5400 from anywhere in the United States to report abuse or neglect that happened in Texas. Failure to report suspected child abuse and neglect is a criminal offense (Texas Family Code, Section 261.109).

III. RECOGNIZE THE SIGNS

Suspect Physical Abuse When You See:

- Frequent injuries such as bruises, cuts, black eyes, or burns without adequate explanations.
- Frequent complaints of pain without obvious injury.
- Burns or bruises in unusual patterns that may indicate the use of an instrument or human bite; cigarette burns on any part of the body.
- Lack of reaction to pain.
- Aggressive, disruptive, and destructive behavior.
- Passive, withdrawn, and emotionless behavior.
- Fear of going home or seeing parents.
- Injuries that appear after a child has not been seen for several days.
- Unreasonable clothing that may hide injuries to arms or legs.

Suspect Neglect When You See:

- Obvious malnourishment.
- Lack of personal cleanliness.
- Torn or dirty clothing.
- Stealing or begging for food.
- Child unattended for long periods of time.
- Need for glasses, dental care, or other medical attention.
- Frequent tardiness or absence from school.

Suspect Sexual Abuse When You See:

- Physical signs of sexually transmitted diseases.
- Evidence of injury to the genital area.
- Pregnancy in a young girl.
- Difficulty in sitting or walking.
- Extreme fear of being alone with adults of a certain sex
- Sexual comments, behaviors or play
- Knowledge of sexual relations beyond what is expected for a child's age
- Sexual victimization of other children

Suspect Emotional Abuse When You See:

- Over compliance
- Low self-esteem
- Severe depression, anxiety, or aggression
- Difficulty making friends or doing things with other children.
- Lagging in physical, emotional, and intellectual development
- Caregiver who belittles the child, withholds love, and seems unconcerned about the child's problems.