

Definitions

Physical abuse: is defined as any physical injury or death inflicted other than by accidental means; an injury which is at variance with medical evidence and the history given; severe corporal punishment; discipline or restraint which is excessive and creates serious physical and/or emotional harm to the child. This includes but is not limited to the following:

- ❑ Hitting where bruises, hand prints, broken bones and/or internal injuries result. In cases of corporal punishment, discipline or restraint of a child, the resulting physical injury must show that it creates risk of physical or emotional harm to the child. Bruising on the buttocks may not be investigated, depending on the age of the child and the circumstances surrounding the incident.
- ❑ Burns or scalding
- ❑ Poisoning or giving inappropriate non-prescription medication or prescription medication not prescribed for the particular child
- ❑ Biting (human)
- ❑ Dangerous Acts (acts which constitutes a serious risk to a child's physical health and safety but which fortuitously did not result in harm; i.e. domestic violence when a child is present; driving while intoxicated with the child in the vehicle; reckless use or placement of a lethal weapon in proximity to the child)
- ❑ Emotional Abuse (chronic attitude or acts of a parent which are detrimental to a child's development; i.e., blaming a child for things over which the child has no control, using the child as a scapegoat, threatening the child's safety and health)

Under Ohio Law, Parents and caretakers have the right to physically discipline their children. There is no provisions regarding what kind of physical discipline or the use of paddles, switches, etc. Corporal punishment resulting in a minor injury to a non-sensitive area of the body that does not require medical treatment will not be opened for investigation. Corporal punishment of an infant (under the age of one year) will be screened in for investigation.

Sexual abuse: Is an act against the child as defined in Chapter 2907 of the ORC, where such activity would constitute an offense under that chapter, including;

- ❑ Rape
- ❑ Sexual battery
- ❑ Corruption of a minor
- ❑ Gross sexual imposition
- ❑ Felonious sexual penetration
- ❑ Compelling prostitution
- ❑ Pandering obscenity involving a minor
- ❑ Importuning
- ❑ Other (if alleged offender is another child in the same age range and force or intimidation is involved).

Family & Children Services conducts investigations of child sexual abuse in conjunction with law enforcement officials. If the sexual contact is between a minor who is 13 years of age or older there must be more than 4 year difference in age to be opened for investigation. (unless there is coercion or force). Any child under 18 years of age engaged in any sexual contact with any related individual will be opened for investigation. Date rape investigations and children 16 years of age and older engaging in consensual contact with a non-related person over the age of 16 will be forwarded onto law enforcement, but will not be screened in for investigation unless there are special circumstances.

Neglect: is defined as the failure of a parent or guardian(s) to provide for the necessary sustenance, education or medical needs of a child (this can be due to refusal to provide, faults, habits or abandonment on the part of the parent or guardian). Neglect includes, but is not limited to:

- ❑ Inadequate housing (conditions so dangerous that there is a threat of injury or health hazard if there is no agency intervention). No heat in cold weather,
- ❑ Supervision based on the impact on children due to being left alone/unsupervised.
- ❑ Medical Neglect (parent's refusing treatment which places a child at risk; attempting to remove child against medical advice; failing to take a child for treatment of a diagnosed condition placing a child at risk; and failing to have a mental condition treated – if that mental condition is a threat to the child's life)
- ❑ Educational neglect (Parent's refusal or inability to send children to school. If child is over the age of 13, this is considered truancy unless there is active refusal on the part of the parent).
- ❑ Inadequate clothing or food (parent's failing to provide clothing that is weather appropriate or food within the limits of the parent's resources). Inadequate nutrition with identifiable physical results; failure to thrive; inoperable plumbing without access to operable plumbing.
- ❑ Emotional Neglect (chronic or ongoing failure by parents to provide child with the support and affection necessary for their development, i.e. little or no interest in the child's activities or problems, treating the child coldly and/or withhold affection – this is mainly investigated in the cases of infants or very young children)
- ❑ Drug/alcohol abuse on the part of the parent/guardian which places the child at risk: examples of this would include the mother or the infant testing positive for substance abuse, or the infant exhibiting physical evidence of withdrawal from drugs, the infant being diagnosed as FAS (fetal alcohol syndrome) or FAE (fetal alcohol effect). Typically for older children, drug/alcohol abuse has to show failure of the parent in being able to provide for the basic needs of the child.
- ❑ Failure to provide for appropriate hygiene of child, resulting in a medical problem.
- ❑ Head lice which is continuous and untreated. Parent's continuing to treat the child and the child being cleared to return to school is not considered neglect.

Neglect can be difficult because one can not bring their own personal values to determine when a situation become neglectful. Investigation will be opened when there is concern that parents or custodians are not meeting minimum standards, not optimum standards. As an example, a family does not have running water, but has access. This would not be

a neglectful situation. Parents also have the right to not give their child medication as long as the issue is not life threatening. Parents can choose not to give their child medication for ADHD, but if it is insulin for a diabetic child, not giving that medication would be life threatening and would then be considered a report of neglect to be investigated.