



**Hidalgo County Head Start Program
Policies and Procedures**

System/Service Area: Administration	Subject: Child Maltreatment Policy
Related Regulation(s): Hidalgo County Performance Standards and Texas Child Care Regulation Minimum Standards	
Related Forms: Child Care Regulation Documents	Related Reports: Child Care Regulation Reports
PC Approval: 10/15/2025	Board Approval:
PC Revision:	Board Revision:

Policy: Child Maltreatment Policy

Time Frame: Annually

Person(s)

Responsible: All staff, consultants, contractors, and volunteers

Purpose:

The Hidalgo County Head Start Program (HCHSP) along with the Health Services Advisory Board shall establish an annual review of the policies for the prevention, recognition, and reporting of child maltreatment. The Child Maltreatment Policy shall follow the requirements of Family Code Chapter 261 and shall be consistent with Hidalgo County Head Start Performance Standard - Safety Practices 1302.47 (B)(5)(I) and 746.1303, 746.1309 and 746.1311 regarding investigations by the Texas Health and Human Services Child Care Regulation - Minimum Standards for Child-Care Centers, including regulations governing investigation of abuse by school personnel and volunteers. Child maltreatment constitutes all forms of child abuse including physical abuse, emotional ill-treatment, sexual abuse, neglect, negligent treatment and exploitation of children, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Persons Required to Conduct Reports

A person who has cause to believe that a child’s physical or mental health or welfare has been adversely affected by child maltreatment by any person shall immediately make a report to the appropriate authority as required by law. Ref: Family Code 261.101 (a).

The Texas Family Code 261.101 requires professionals to make a report within 24 hours of first suspecting child maltreatment such as physical abuse, emotional ill-treatment, sexual abuse, abuse, neglect and exploitation of children that may result in actual or potential harm to the child’s health, survival, development or dignity in context of a relationship or responsibility, trust or power; if a professional has cause to believe that a child has been or may be a victim of child maltreatment or is a victim of indecency with a child, as described in Penal Code 21.11. A professional may not delegate to or rely on another person to make the report. Ref: Family Code 261.101 (b).

Every HCHSP employee, consultant, contractor, or volunteer who suspects child maltreatment must submit a written or oral report to the appropriate authorities listed in the Where to Report section contained in this policy.

Information In Report

The report shall contain, if known, the name and address of the child, the name and address of the person responsible for the care, custody, or welfare of the child, if available, and any other pertinent information concerning the alleged or suspected abuse or neglect. Ref: Family Code 261.104.

Where To Report

All reports shall be submitted to:

1. Child Protective Services (CPS) Division of the Texas Department of Family and Protective Services (TDFPS): 1-800-252-5400 or <https://www.dfps.texas.gov>
2. The Child Care Regulation (CCR) will be notified if the alleged child maltreatment occurs at a Head Start facility
Ref: Family Code 261.103
3. If the report is an emergency call 911 or your local law enforcement agency

Immune From Liability

All reports of child maltreatment are confidential, and you are protected from civil or criminal liability if the report is made in “good faith” and “without malice”. Ref: Family Code 261.106:

- “Good faith” means the person making the report took reasonable steps to learn facts that were readily available and at hand.
- “Without malice” means that the person did not intend to injure or violate the right of another person.

Failure To Report

A person commits a Class A misdemeanor if he or she has cause to believe that a child’s physical or mental health welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report as provided by law. Ref: Family Code 261.109.

An employee who coerces another into suppressing or failing to report child abuse or neglect to a law enforcement agency is a Class C misdemeanor offense. Ref: Penal Code 39.06.

Reporting Requirements

HCHSP staff will cooperate with law enforcement child maltreatment investigations without the consent of the child’s parents if necessary, including investigations by the Texas Department of Family and Protective Services.

The policies on child abuse reporting shall:

1. Ensure that all HCHSP staff cooperate and not interfere with an investigation of a report of child maltreatment; and:
 - HCHSP staff cannot deny a CPS investigator’s request to interview a student at a campus, and
 - HCHSP staff cannot require the presence of a parent, or Campus Director, or Administrator during an interview by a CPS investigator.
2. Ensure that all reports of suspected child maltreatment shall remain confidential as well as any disciplinary action that resulted from noncompliance with the reporting policy; and
 - HCHSP staff are not required to first report suspicions of child maltreatment to a Campus Director or Administrator prior to making a report to one of the appropriate agencies listed above.

Training Requirements

HCHSP will provide training to all Head Start staff with a minimum of one (1) hour of annual training focused on prevention, recognition, and reporting child maltreatment, including 746.1311 (c):

1. Factors indicating a child is at risk for abuse and neglect.
2. Warning signs indicating a child may be a victim of abuse or neglect.
3. Procedures for reporting child abuse or neglect.
4. Community organizations that have training programs available to employees, children, and parents.

Annual Review and Distribution

The Child Maltreatment Policy shall be distributed to all personnel at the beginning of each school year. The HCHSP Health Advisory Committee and Policy Council shall also review the policies annually.

References:

Hidalgo County Civil Service Commission Rules

<https://www.hidalgocounty.us/DocumentCenter/View/46661/Blue-Book-Revised-August-01-2023---Updated-new-CS-Commissioner?bidId=>

Texas Health and Human Services Child Care Regulation Minimum Standards for Child-Care Centers

<https://www.hhs.texas.gov/sites/default/files/documents/doing-business-with-hhs/provider-portal/protective-services/ccl/min-standards/chapter-746-centers.pdf>

Texas Family Code

[https://statutes.capitol.texas.gov/docs/fa/htm/fa.261.htm#:~:text=\(a\)%20A%20person%20having%20reasonable%20cause%20to,that%20a%20child%20has%20been%20abused%20or](https://statutes.capitol.texas.gov/docs/fa/htm/fa.261.htm#:~:text=(a)%20A%20person%20having%20reasonable%20cause%20to,that%20a%20child%20has%20been%20abused%20or)

Texas Penal Code

<https://statutes.capitol.texas.gov/docs/pe/htm/pe.39.htm>

Texas Department of Family and Protective Services

https://www.dfps.texas.gov/Contact_Us/report_abuse.asp

EMPLOYEE POLICY VERIFICATION:

I _____, acknowledge receipt of, and have read and understand the Hidalgo County Head Start Child Maltreatment Policy.

Failure to comply with the Child Maltreatment Policy may result in disciplinary action up to and including separation from employment.

Print Name

Employee ID#

Employee Signature

Date