



<h2 style="text-align: center;">Rhode Island Department of Children, Youth and Families</h2> <h3 style="text-align: center;">Department Operating Procedure</h3>			
	DOP Number: 500.0005	Effective Date: September 23, 2024	Page 1 of 8
	Version #:1	Revision History:	Director:  Ashley Deckert
Section: Child Abuse/Neglect Investigations		Title: Child Abuse and Neglect Definitions	
Legal Authority: <ul style="list-style-type: none"> • Rhode Island General Law §16-19-1 • Rhode Island General Law §40-11-2 • Rhode Island General Law §40-11-3 • Rhode Island General Law §40-11-3.3 • Rhode Island General Law §40-11-7 • Rhode Island General Law §40-11-9 			
Related DOPs: <ul style="list-style-type: none"> • Child Abuse and/or Neglect Reports; DOP; 500.0000 • Screen-Out Reports Requiring a Response; 500.0015 • Assessing Reports of Child Abuse and Neglect and Child Safety Determinations; 500.0025 • Institutional Child Abuse and Neglect; DOP: 500.0035 • Standards of Proof; 500.0050 			
Related Forms:			

I. PURPOSE

This operating procedure establishes definitions for substantiating findings of maltreatment for various types of child abuse and neglect.

II. TERMS DEFINED

Abandoned and/or Neglected Child: In accordance with [Rhode Island General Law \(RIGL\) 40-11-2](#), a child whose physical or mental health or welfare is harmed or threatened with harm when their parent or another person responsible for their welfare:

1. Inflicts or allows physical or mental injury on the child, including excessive corporal punishment;
2. Creates or allows a substantial risk of physical or mental injury to the child, including excessive corporal punishment;

3. Commits or allows sexual abuse against the child;
4. Fails to provide adequate food, clothing, shelter, or medical care, despite being financially able to do so or being offered financial or other reasonable means to do so;
5. Fails to provide minimum care or proper supervision or guardianship due to unwillingness or inability, caused by factors like social problems, mental incompetence, or substance abuse;
6. Abandons or deserts the child;
7. Sexually exploits the child by allowing or encouraging the child to engage in prostitution (as defined by [RIGL 11-34](#));
8. Sexually exploits the child by allowing or engaging in obscene or pornographic photographing, filming, or depiction of the child;
9. Commits or allows any sexual offense against the child (as defined by [RIGL 11-37](#));
10. Commits or allows sexual penetration or contact against a child under 15 years of age, or uses force/coercion against a child 15 years or older, or exploits a severely impaired person.

Abandonment: The legal caregiver's intentional relinquishment of caretaking and parenting responsibility to another individual without taking proper legal steps to ensure the child's needs are met. A finding of maltreatment is based on one or more of the following:

1. Confession of the caregiver;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a child protective investigator (CPI), law enforcement officer, medical professional, or behavioral health professional.

Behavioral Health Professional: An individual duly licensed by the RI Department of Health (RI DOH), acting within the scope of practice defined by the RI DOH.

Bone Fracture: A fracture is a broken bone. Types include:

1. Simple: The bone is broken, but there is no external wound;
2. Compound: The bone is broken with an external wound leading to the site of fracture, or fragments of bone protrude through the skin;
3. Complicated: The bone is broken and has injured an internal organ, such as a rib piercing a lung;
4. Spiral: Twisting causes the fracture to encircle the bone in a spiral. A finding of maltreatment is made in consultation with a medical doctor who specializes in the assessment of child victims of abuse/neglect and has determined the injury resulted from inflicted, non-accidental injuries and/or neglect.

Brain Damage/Skull Fracture:

1. Brain damage is an injury to the large soft mass of nerve tissue within the cranium/skull;
2. Skull fracture means a broken bone in the skull. A finding of maltreatment is made in consultation with a medical doctor specializing in child abuse/neglect assessment and has determined the injury resulted from inflicted, non-accidental injuries and/or neglect.

Burns/Scalding:

1. Burns: Tissue injury resulting from excessive exposure to thermal, chemical, electrical, or radioactive agents. Classified as:
 - a. First degree: Superficial burns affecting the outer layer of skin;
 - b. Second degree: Burns extending through the outer layer into inner layers, with blistering;

- c. Third degree: Burns destroying the skin and underlying tissues, possibly charred or coagulated.
2. Scalding: A burn caused by moist heat and hot vapors, such as steam. A finding of maltreatment is made in consultation with a medical doctor specializing in child abuse/neglect assessment and has determined the injury resulted from inflicted, non-accidental injuries and/or neglect.

Child or children or young adult: Anyone under the age of 18. However, those over 18 who still receive services from the Department, or who are identified as emotionally disturbed or as having functional developmental disabilities, will also be considered "children (young adult)" under this policy.

Corporal Punishment: Any action constituting the infliction of deliberate and inappropriate physical punishment causing physical or emotional harm or risk of harm to a child in out-of-home care. A finding of maltreatment is based on one or more of the following:

1. Confession by the perpetrator;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Cut/Bruises/Welts:

1. Cut: An incision or break in the skin caused by an external agent;
2. Bruise: An injury resulting in bleeding within the skin, causing discoloration without breaking the skin. Types of bruises:
 - a. Petechiae: Very small bruises caused by broken capillaries;
 - b. Purpura: Groups of petechiae or small bruises up to a centimeter in diameter;
 - c. Ecchymosis: Larger bruises.
3. Welt: An elevation on the skin produced by a lash, blow, or allergic stimulus without breaking the skin. A finding of maltreatment is made in consultation with a medical doctor.

Death:

1. Permanent cessation of all vital functions;
2. A death as an allegation is indicated when a medical professional confirms that a child is deceased, and it is determined that neglect or abuse directly caused or contributed to the child's death.

Domestic Violence: Actions or circumstances that may include physical, emotional, and/or sexual aggression involving at least one caregiver, resulting in harm or the potential risk of harm to a child's well-being. A finding of maltreatment is based on one or more of the following:

1. Confession by the perpetrator;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Drug/Alcohol-Impaired Child Care: The use of legal or illegal drugs or alcohol to the extent that the caregiver loses the ability or is unwilling to care for the child properly. A finding of maltreatment is based on one or more of the following:

1. Admission by the perpetrator;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Educational Neglect: In accordance with state law, a situation where a minor is not meeting mandated educational requirements with the consent, encouragement, or insistence of the parent/caregiver. Educational neglect exists only after remediation attempts by school personnel have been undertaken. A finding is made in consultation with an educational professional, and the Department checks with the Family Court for involvement in truancy or family court cases.

Educational Professional: An individual licensed, certified, or credentialed by the RI Department of Elementary and Secondary Education (RIDE) and working within the parameters identified by RIDE.

Emotional Abuse/Neglect:

1. Failure of a caregiver to seek or obtain appropriate psychiatric or psychological diagnostic and treatment services when there is reasonable evidence of emotional impairment or the potential for severe harm if untreated;
2. Confirmation by a medical or behavioral health professional of impairment to a child's intellectual or psychological capacity. A finding of maltreatment is made in consultation with a behavioral health professional.

Excessive/Inappropriate Discipline: Actions by a caregiver where:

1. The discipline results from the child's action or inaction;
2. The intensity of the reaction is disproportionate to the seriousness of the child's behavior;
3. The discipline is inappropriate or not in the child's best interest based on the child's age or functioning level;
4. The caregiver does not control the reaction, leading to bodily injury or undue emotional stress. A finding of maltreatment is made in consultation with a medical doctor, licensed nurse practitioner, or licensed behavioral health professional.

Failure to Thrive: A serious medical condition where a child's weight, height, and motor development fall significantly short of average growth rates due to severe physical and emotional neglect. A finding of maltreatment is made in consultation with a medical doctor specializing in child abuse/neglect assessment.

Human Bites: A wound, bruise, cut, or indentation in the skin caused by human teeth. A finding of maltreatment is made in consultation with a medical doctor.

Inadequate Clothing: A child is inadequately clothed if:

1. Clothing is consistently dirty, torn, ill-fitted, or worn thin;
2. Clothing is not suitable for weather conditions (e.g., wearing a t-shirt and sandals in winter);
3. The caregiver fails to provide or seek adequate clothing through resources. A finding of maltreatment is based on one or more of the following:
4. Confession by the caregiver;
5. Statements of witnesses;
6. Statements of the victim;
7. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Inadequate Food: Failure to provide or have available food adequate to sustain normal functioning, despite the ability to provide it or access resources for obtaining it. A finding of maltreatment is based on one or more of the following:

1. Confession by the caregiver;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Inadequate Shelter: Failure by the caregiver to provide or seek to provide shelter that is safe, healthy, sanitary, and protective against weather conditions or other risks. A finding of maltreatment is based on one or more of the following:

1. Confession by the caregiver;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Inappropriate Restraint: Any physical action or use of mechanical devices by a foster parent, residential facility employee, or out-of-home caregiver that sets inappropriate limitations on a child's mobility and is not consistent with approved policies. A finding of maltreatment is based on one or more of the following:

1. Confession by the perpetrator;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional;
5. Video footage.

Internal Injuries: An injury not visible externally, involving organs in the thoracic, abdominal, or cranial cavities, possibly caused by a direct blow. A finding of maltreatment is made in consultation with a medical doctor specializing in child abuse/neglect assessment.

Lack of Supervision/Caregiver: Failure to oversee and manage the child despite being present, with potential risk of harm to the child. A finding of maltreatment is based on one or more of the following:

1. Confession by the caregiver;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Lack of Supervision/No Caregiver: Failure to oversee or arrange supervision of a child, with potential risk of harm. A finding of maltreatment is based on one or more of the following:

1. Confession by the caregiver;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Malnutrition/Starvation: Lack of necessary or proper food substances in the body, caused by inadequate food, lack of food, or insufficient vitamins. A finding of maltreatment is made in consultation with a medical doctor specializing in child abuse/neglect assessment.

Medical Maltreatment: Actions by a caregiver resulting in unnecessary, harmful, or potentially harmful medical care to a child, often due to misinformation provided by the caregiver or deliberate infliction of conditions to seek medical attention. A finding of maltreatment is made in consultation with a medical doctor, and the harmful care must result from the caregiver's deliberate actions.

Medical Neglect: Failure of a caregiver to provide necessary medical or dental treatment, follow prescribed treatment plans, or obtain required immunizations, potentially endangering the child's health. A finding of maltreatment is made in consultation with a medical doctor specializing in child abuse/neglect assessment.

Medical Professional: An individual duly licensed by the RI Department of Health (RI DOH), acting within the scope of practice defined by the RI DOH.

Medically Necessary Treatment: Treatment, including appropriate nutrition, hydration, and medication, which, in the judgment of the treating doctor or nurse practitioner, will likely improve or correct the child's life-threatening conditions.

Neglected Child: In accordance with [RIGL 14-1-3](#), a child who requires court protection and assistance when their physical or mental health or welfare is harmed or threatened with harm due to the parent or guardian's:

1. Failure to provide adequate food, clothing, shelter, or medical care, despite being financially able or offered reasonable means to do so;
2. Failure to provide proper education as required by law;
3. Abandonment or desertion of the child.

Other Abuse/Neglect: Any action or inaction by a parent, caregiver, or person responsible for a child's welfare that results in harm or potential harm to the child's physical, mental, or behavioral health, and is not covered by other allegations. A finding of maltreatment is based on one or more of the following:

1. Confession by the caregiver;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, behavioral health professional, or educational professional.

Other Institutional Abuse/Neglect: Any action or inaction by a foster parent, residential facility employee, or out-of-home caregiver that results in harm or potential harm to the child's physical, mental, or behavioral health and is not covered by other allegations. Examples include voyeurism, sexual harassment, sharing obscene materials, and retaliation. A finding of maltreatment is based on one or more of the following:

1. Confession by the perpetrator;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, behavioral health professional, or educational professional.

Person Responsible for Child's Welfare: As defined by [RIGL 40-11-2](#), this includes the child's parent or guardian, any adult residing in the home of a parent or guardian with unsupervised access

to the child, foster parents, employees of residential homes or facilities, and staff providing out-of-home care.

Poisoning/Noxious Substances:

1. Poisoning: Any substance taken into the body by ingestion, inhalation, injection, or absorption that interferes with normal physiological functions.
2. Noxious: Harmful, injurious, or unwholesome. A finding of maltreatment is made in consultation with a medical doctor at the Lawrence A. Aubin Sr. Child Protection Center at Hasbro Children's Hospital.

School Personnel: An employee, agent, contractor, or volunteer of an educational program.

Sexually Exploited Child: A child who is exploited sexually by another person for money, goods, or services. This may include prostitution or involvement in pornographic materials. A finding of maltreatment is based on one or more of the following:

1. Confession by the perpetrator;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Sexual Intercourse: Sexual contact involving two or more individuals, one of whom is a caregiver, school personnel, or an individual who arranges sexual contact involving a minor in exchange for money, goods, or services. Sexual contact includes oral, genital, or anal sexual penetration, fondling, or exposure to pornographic materials. A finding of maltreatment is made in consultation with a medical doctor and may include a physical examination of the alleged victim.

Sexual Molestation: Contacts or interactions exclusive of sexual intercourse between an individual under 18 and another individual, where the younger individual is used as an object of sexual gratification. A finding of maltreatment is based on one or more of the following:

1. Confession by the perpetrator;
2. Statements of witnesses;
3. Statements of the victim;
4. Observations or findings by a CPI, law enforcement officer, medical professional, or behavioral health professional.

Sexually Transmitted Infection: An infection acquired as a result of sexual intercourse, including but not limited to:

1. Gonorrhea;
2. Non-specific urethritis;
3. Syphilis;
4. Chancroid;
5. Genital candidiasis;
6. Lymphogranuloma venereum;
7. Granuloma inguinale;
8. Genital herpes;
9. Genital warts;
10. Balanoposthitis;
11. Proctitis. A finding of maltreatment is made in consultation with a medical doctor.

Sprains/Dislocations:

1. Sprain: Trauma to a joint causing pain and disability depending on the degree of injury to ligaments. Severe sprains may involve torn ligaments.
2. Dislocation: Displacement of a bone from its normal position in a joint, which may be: a. Closed: A simple dislocation; b. Complete: A dislocation that completely separates the joint surfaces; c. Complicated: A dislocation associated with other major injuries; d. Compound: A dislocation in which the joint is exposed to the external air. A finding of maltreatment is made in consultation with a medical doctor specializing in child abuse/neglect assessment.

Subdural Hematoma:

1. Subdural: Beneath the dura mater, the outer membrane covering the brain and spinal cord;
2. Hematoma: A swelling or mass of blood (usually clotted) confined to an organ, tissue, or space due to a broken blood vessel. A subdural hematoma is usually the result of head injuries or shaking an infant or small child and may cause loss of consciousness, seizures, or mental or physical damage. A finding of maltreatment is made in consultation with a medical doctor specializing in child abuse/neglect assessment.

Substance-Exposed Newborn: A newborn exposed to substances in utero. A finding of maltreatment is based on:

1. Admission by the perpetrator;
2. Determination by a medical doctor that the newborn was exposed to substances in utero.

Tying/Close Confinement: Unreasonable restriction of a child's mobility, actions, or physical functioning by tying the child to a fixed or heavy object, tying limbs together, or forcing the child to remain in a confined area. Examples include:

1. Locking a child in a room or closet for an unreasonable period;
2. Tying one or more limbs to a bed or other object;
3. Tying a child's hands behind their back. A finding of maltreatment is made by the CPI based on information from alleged victims, caregivers, witnesses, reporters, and other collateral contacts, including medical professionals, behavioral health professionals, or law enforcement officers.

Wounds: An injury to the child's body caused by a knife, gunshot, or other potentially lethal weapon, breaking or piercing the skin or other tissue. A finding of maltreatment is made in consultation with a medical doctor or licensed nurse practitioner.