

## **Nevada Child Abuse and Neglect Allegation Definitions**

**Abandonment:** Is parental conduct which, without legal justification, demonstrates the purpose of relinquishing all parental rights and claims to the child or parental conduct which demonstrates a settled purpose to forego all parental duties and relinquish all parental claims to the child.

**Bone Fractures:** A fracture is a broken bone.

- **Metaphyseal/Epiphyseal Fractures:** Fractures at the end of bones. They are commonly described as corner fractures, chipped fractures or bucket handle fractures.
- **Diaphyseal Fractures:** Are located in the bone shaft. Fractures in the shaft of long bones of the extremities are spiral or transverse. Spiral fracture is caused by twisting or rotational force. Transverse fracture results from a direct blow or bending force.

### **Bruises, Welts, Cuts & Abrasions**

- **Abrasions:** A scraping away of the skin.
- **Bruises:** An injury which results in bleeding within the skin, where the skin is discolored but not broken.
- **Cuts:** An opening, incision or break in the skin made by some external agent.
- **Welts:** An elevation on the skin produced by a lash, blow or allergic stimulus. The skin is not broken and the mark is reversible.

**Burns:** Tissue injury resulting from excessive exposure to thermal, chemical, electrical or radioactive agents. The effects vary according to the type, duration and intensity of the agent and the part of the body involved. Burns are usually classified as first degree, second degree etc.

**Death:** The permanent cessation of all vital functions.

More definitions of death:

- Total irreversible cessation of cerebral function, spontaneous function of the respiratory system and spontaneous function of the circulatory system. The final and irreversible cessation of perceptible heartbeat and respiration.

**Educational Neglect:** A child who is between the ages of 7 and 17 and is not enrolled in school or due to the faults or habits of the child's parents or caretaker is habitually and without justification absent from school. NOTE: Before a situation is classified as educational neglect, the school district must document its effort to resolve the problem.

**Environmental Neglect:** The child's person, clothing or living conditions are persistently filthy or unsanitary to the point that the child's life or physical health is endangered. This may include infestations of rodents, spiders, insects, snakes etc., human or animal feces, rotten or spoiled food or rotten or spoiled garbage that the child can reach.

**Failure to Protect:** The circumstances of the parent responsible or caregiver's supervision are such that a reasonable person would be expected to foresee that the child would be placed at plausible risk of harm from the actions or inactions of another adult. The parent or responsible caregiver is responsible for maltreatment inflicted by substitute caregivers or others, or for child endangerment, if the parent knew or should have known the child was at plausible risk of physical harm of being harmed by another person.

**Failure to Thrive/Malnutrition:**

- **Failure to Thrive:** A serious medical condition most often seen in children under one year of age. The child's weight, height and motor development fall significantly short of average growth rates of normal children (i.e. below the fifth percentile) In some cases, there is an organic cause such as a serious medical problem, a genetic error of metabolism or brain damage. Other cases are caused by severely inadequate nutrition usually resulting from a disturbed parent-child relationship manifested in severe physical and emotional neglect.
- **Malnutrition:** Lack of necessary or proper food substances in the body caused by inadequate food, lack of food or insufficient amounts of vitamins or minerals.

**Head Injuries:** A serious head injury causing skull fracture, brain damage or bleeding on the brain such as a subdural hematoma or shaken baby syndrome.

**Human Bites:** An indentation, a bruise, or cut in the skin caused by seizing, piercing, or cutting the skin with human teeth.

**Inadequate Clothing:** Lack of appropriate clothing to protect the child from the elements serious enough that, if permitted to continue, is likely to have a serious detrimental effect on the child's health development or functioning.

**Inadequate Food:** Lack of adequate food serious enough that, if permitted to continue, is likely to have a **serious detrimental effect** on the child's health development or functioning. For example, the simple absence of food in the home does not in and of itself rise to the level of neglect.

**Inadequate Shelter:** Lack of shelter which is safe and which protects the child(ren) from the elements and, if permitted to continue, is likely to have a serious detrimental effect on the child's health, development or functioning.

**Inadequate Supervision:** The child has been placed in a situation or circumstances which are likely to require judgment or actions greater than the child's level of maturity, physical condition, and/or mental abilities would reasonably dictate.

**Internal Injuries:** An internal injury is an injury that is not visible from the outside. For example, an injury to the organs occupying the thoracic or abdominal cavities. Such injury may result from a direct blow or penetrating injury. A person who has an internal injury may be pale, cold, perspiring freely, have an anxious expression or may seem semi-comatose. Pain is usually intense at first, and may continue or gradually diminish as patient's condition worsens.

**Lock Out:** The parent or other person responsible for the child's welfare has denied the child access to the home and has refused or failed to make reasonable provisions for another living arrangement for the child.

**Medical Neglect:** Failure to obtain medical treatment for a health problem or condition which, if untreated, could endanger the child's life or become severe enough to constitute serious or long term harm to the child if the plan goes unimplemented. Failure to obtain follow-through on a medically prescribed treatment plan for a condition which could endanger the child's life or constitute serious or long term harm to the child if the plan goes unimplemented.

Examples include, but are not limited to, to parents who:

- Leave a child with no apparent intention to return; or
- Leave a child with an appropriate caregiver, but fail to resume care of the child, as agreed, and the caregiver cannot or will not continue to care for the child.
- Refuses to accept responsibility for a child being discharged from a correctional or medical facility

**Mental Injury:** An injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of his ability to function. The mental injury must be the result of intense and consistent harmful behavior on the part of the caretaker including but not limited to, behaviors that communicate rejection, are threatening, intimidating, disparaging, or humiliating to the child.

**Parental Homicide:** A child may be in need of protection if the death of a parent of the child is or may be the result of an act by the other parent that constitutes domestic violence pursuant to NRS 33.018.

**Plausible Risk Of Physical Injury:** Plausible risk of physical injury means that persons responsible for a child's welfare, (as defined in 432B.130) has acted or is acting in a manner that creates a plausible risk of physical injury that would cause the child severe pain or significantly impairs the child's physical functioning either temporarily or permanently. This allegation is to be used when the type or extent of harm is undefined but the total circumstances lead a reasonable person to believe that there is a plausible risk of physical injury to the child. This allegation of harm also includes incidents of violence or intimidation directed toward the child which have not yet resulted in injury or impairment but which clearly threaten such injury or impairment. NOTE: If the child is identified as having an injury, substantial risk of injury is not the appropriate allegation. Instead, the allegation pertaining to the child's injury must be used.

**Plausible Risk of Sexual Abuse:** means that the child is **in real and significant danger** of sexual abuse in that:

1. A known sex offender has significant access to children, and the extent/quality of supervision during contact is unknown, or believed to be deficient or
2. The child is placed in circumstances that makes sexual abuse likely or
3. Persistent, highly sexualized behavior or knowledge in a very young child. For example, under the age of 5 chronologically or developmentally that is **grossly** age inappropriate and there is reasonable cause to believe that the most likely manner in which this was learned is in having been sexually abused.

**Poison/Poisoning:** Any substance, other than controlled substances, alcohol, or other mood altering chemicals taken into the body by ingestion, inhalation, injection or adsorption that significantly interferes with normal physiological functions. Virtually any substance can be poisonous if consumed in sufficient quantity; therefore the term poison may imply an excessive amount rather than a specific amount of substances.

**Sexual Exploitation:** Sexual use of a child, not involving physical contact between the child and perpetrator for the perpetrators sexual arousal, gratification, advantage, or profit. This includes but is not limited to; Indecent solicitation, explicit verbal enticement, inappropriately engaging a child to participate in sexually explicit conversation in person, by telephone or computer; forcing, encouraging, or permitting a child to solicit or engage in prostitution or the production of child pornography, inappropriately looking at a child's genitalia (and vice versa) for the purpose of sexual arousal or gratification of either person and forcing a child to watch sexual acts for the perpetrators sexual arousal.

**Sexual Molestation:** Sexual conduct, short of penetration with a child, involving physical contact with the child for arousal or gratification of sexual needs or desires of the perpetrator. Examples include: fondling, encouraging, forcing or permitting the child to touch parts of the alleged perpetrators body normally associated with sexual activity.

**Sexual Penetration:** An intrusion, however slight, of a penis, tongue, finger, or object into the vagina or anus of another person. Any intrusion, however slight, of a penis into the mouth of another person. Any contact between the tongue and mouth to the penis, vagina, or anus of another person. Sexual penetration includes acts commonly known as oral sex (cunnilingus, fellatio), anal penetration, coition, coitus, copulation, and digital penetration of the vagina and anus.

**Sexually Transmitted Diseases:** Children who are diagnosed as having contracted a sexually transmitted disease congenitally (at birth) are not considered to be abused.

**Sprains/Dislocations/ Cartilage Damage:**

- **Dislocations:** Displacement of any part, especially temporary displacement of bone from its normal position.
- **Sprains-** Trauma to a joint which causes pain and disability depending upon the degree of injury to ligaments and/or surrounding muscle issue. In a severe sprain, ligaments and/or muscle tissue may be completely torn. The signs are rapid swelling etc...

**Substance Exposed Infant:** The child has been affected by prenatal illegal substance abuse. That the child has been affected is usually apparent from positive toxicology tests of the child's blood, urine or meconium, positive toxicology tests of the child's mother's blood or urine, or from the child's withdrawal symptoms.

**Substance Misuse:** The child's parent, guardian, stepparent with whom the child lives, any adult regularly present in the same household as the child, or any employee or volunteer of a childcare home or facility where the child lives or receives child care forced, encouraged or allowed the child to consume controlled substances, alcohol, or other mood altering chemicals, to the extent that it affects the child's health, behavior, motor coordination, judgment or intellectual capacity. Mood altering chemicals include but are limited to alcohol, illegal drugs, and prescription medication not prescribed by a physician for the child.

**Tying or 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 closely confined area, which restricts physical movement.

**Torture:** Inflicting or subjecting the child to intense physical pain, suffering or agony.

**Wound:** An injury from a gunshot or stabbing.