

Clackamas Education Service District

Code: **JHFE**
Adopted: 4/19/06
Readopted: 05/20/09; 3/20/13
Orig. Code(s): 3020

Reporting of Suspected Abuse of a Child

Child abuse or abuse of a child as used herein and as defined by ORS 339.372 by CESD employees is prohibited. All CESD employees are subject to this policy.

The Board recognizes the purpose of child abuse reporting legislation is to protect the best interests of children, offer protective services to prevent harm to children, stabilize the home environment, and preserve family life whenever possible. Reporting suspected abuse or neglect allows social service and law enforcement agencies to initiate an investigation into the condition of a child and to begin a healing process for the child and family.

All CESD employees are required to report suspected cases of abuse of a child and neglect, including any case of suspected abuse of a child by an employee of CESD, or a student placed in a CESD classroom, to the local branch of the Oregon Department of Human Services or a law enforcement agency, as required by ORS 419B.010 and 419B.015, and their CESD supervisor.

CESD employees shall also notify the Director of Human Resource Services, or the Superintendent whenever they have made a report alleging abuse of a child by a CESD employee or a student placed in a CESD classroom. The Director or Superintendent shall, upon receiving a report, determine that there is reasonable cause to support the report and shall place the employee on paid administrative leave until a determination by the Oregon Department of Human Services or law enforcement is made. If the Oregon Department of Human Services or law enforcement is unable to determine, based on the reported abuse, whether the abuse occurred, CESD may reinstate the employee or may take appropriate disciplinary action.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented as required by law in the student's education record.

Upon request, CESD shall provide records of investigations of suspected abuse by a CESD employee or former employee to law enforcement, Oregon Department of Human Services, or Teachers Standards and Practices Commission.

The initiation of a report in good faith about suspected abuse of a child may not adversely affect any terms or conditions of employment or the work environment of the CESD employees who submit a report. CESD will not discipline any student for the initiation of a report in good faith about suspected abuse of a child by any CESD employee.

CESD will post in the employee handbook the name and contact information of the person designated to receive reports of abuse of a child, as well as the procedures the Superintendent will follow upon receipt of a report. When the Superintendent takes action on the report, the person who initiated the report must be notified.

CESD shall establish written procedures to provide annual training for: 1) CESD staff in the prevention and identification of abuse and on the obligations of CESD employees under ORS 419B.005 as directed by Board policy to report suspected abuse of a child; 2) parents and legal guardians of students attending CESD-operated schools on the prevention, identification of abuse of a child, and the obligation of CESD employees to report suspected abuse of a child, separate from CESD staff training; and 3) students attending CESD-operated schools in the prevention of abuse of a child.

The Superintendent shall implement such regulations as are necessary to accomplish the intent of this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370 to-339.400](#)
[ORS 418.746 to-418.751](#)

[ORS 419B.005 to-419B.050](#)

[OAR 581-022-0711](#)

HB 4016 (2012)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F. 3d 1201 (9th Cir. 2011)

Cross Reference(s):

JHFF - Reporting Requirements Regarding Sexual Conduct with Students