

Grants Pass School District 7

Code: **JHFE-AR(1)**

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Orig. Code(s): JHFE-AR

Reporting of Suspected Abuse of a Child

Reporting

To facilitate the use of protective social services to prevent further abuse, safeguard and enhance the welfare of abused children, it is the policy of this district that all district employees shall promptly comply with the statutory requirements concerning the reporting of a suspected abuse of a child. In particular, all district employees having reasonable cause to believe that any child with whom the employee comes in contact has suffered abuse, or that any person with whom the employee comes in contact has abused a child, shall orally report or cause an oral report to be immediately made by telephone or otherwise to the local office of the Oregon Department of Human Services, Community Human Services, or to a law enforcement agency within the county where the person making the report is at the time of his/her contact. The district employee should also immediately inform his/her supervisor, principal or superintendent.

If known, such report shall contain the names and addresses of the child, the child's parents or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, the explanation given for the suspected abuse, any other information which the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

Each building will post the name and contact information for the person designated to receive reports of child abuse by school employees. Upon receipt of the report, the designated individual will orally report or cause to be orally reported immediately by telephone to the Oregon Department of Human Services, Community Human Services, or to a law enforcement agency within the county where the person making the report is at the time of his/her contact.

A written record of the abuse report shall be made by the employee suspecting the abuse of a child the district abuse of a child reporting form. The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the employee's supervisor.

When the district receives a report of suspected abuse of a child by one of its employees, and the Personnel Director or Superintendent determines that there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave until the Department of Human Services or a law enforcement agency either: 1) determines that the report is unfounded or that the report will not be pursued; or 2) determines that the report is founded and the education provider takes the appropriate disciplinary action against the district employee. If the Department of Human Services or a law enforcement agency is unable to determine whether the abuse of a child occurred the district may either reinstate the employee or take disciplinary action at the district's discretion.

The written record of each reported incident of abuse of a child, action taken by the district and any findings as a result of the report shall be maintained by the district.

No employee who, in good faith, initiates a report about suspected abuse of a child will not be adversely affected in any terms or conditions of employment or the work environment.

No student will be disciplined by any school employee or the school board for the initiation in good faith of suspected abuse of a child by a school employee.

Definitions

1. Oregon law recognizes these types of abuse:
 - a. Physical;
 - b. Neglect;
 - c. Mental injury;
 - d. Threat of harm;
 - e. Sexual abuse and sexual exploitation.

2. Child means an unmarried person who is under 18 years of age.

Confidentiality of Records

Documents, reports and records compiled by district employees pursuant to the provisions of the Child Abuse Act are confidential and are not accessible for public inspection. However, the principal or designee shall make such records available to any law enforcement agency or a child abuse registry in any other state for the purpose of subsequent investigation of abuse of a child, and to any physician, at the request of the physician, regarding any child brought to the physician or coming before the physician for examination, care or treatment.

The disciplinary records of a district employee or former district employee convicted of a crime listed in ORS 342.143 are not exempt from disclosure under ORS 192.501 or 192.502. Therefore, if a district employee or former employee is convicted of a crime listed in ORS 342.143, the district that is or was the employer of the employee when the crime was committed shall disclose the disciplinary records of the employee to any person upon request. However, prior to the disclosure of a disciplinary record the district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime or a district employee who is not the subject of the disciplinary record.

Failure to Comply

Any district employee who fails to report a suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by this policy, the employee will be disciplined.

Cooperation with Investigator

The district staff shall make every effort in suspected abuse of a child cases to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child will be directed by the Oregon Department of Human Services or law enforcement officials as required by law. When an administrator is notified that the Department of Human Services or law enforcement would like to interview a student at school, the administrator must request that the investigating official demonstrate that he/she has a warrant, court order, exigent circumstances or parental consent to interview the student. Failure to meet one of these criteria may result in the administrator's refusal to allow the student interviewed on school property. If the student is to be interviewed at the school, the principal or representative shall make a conference space available. The principal or representative of the school may at the discretion of the investigator, be present to facilitate the interview. Law enforcement officers wishing to interview or remove a student from the premises shall present themselves at the office and contact the principal or representative. The officer shall sign the student out on a form to be provided by the school;
2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, district employees shall not notify parents;
3. The principal or representative shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Immunity from Civil and Criminal Liability

Any district employee participating in good faith in the making of a report pursuant to this policy and Oregon law and who has reasonable grounds for the making thereof, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of any such report.

Training

All employees will receive annual training on the prevention and identification of abuse of a child and on the obligations of school employees under ORS 419B.005 to 419B.050 and under policies adopted by the district Board.

Parents and guardians of children who attend a district school will annually be provided the opportunity to attend training on the prevention and identification of abuse of a child and on the obligations of school employees under ORS 419B.005 to 419B.050 to report. This training will be conducted separately from the training provided to school employees.

Training will be provided annually to children who attend a district school. This training shall be designed to prevent abuse of a child.