

# Multnomah Education Service District

Code: **JHFE-AR**  
Adopted: 10/12/94  
Readopted: 11/7/05

## Reporting of Suspected Child Abuse

### 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 MESD that all employees shall promptly comply with the statutory requirements concerning the reporting of a suspected child abuse. In particular, all MESD 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, Child Welfare Services or to a law enforcement agency within the county where the person making the report is at the time of his/her contact. Notification should not be delayed until the end of the school day. It may be necessary for law enforcement or the Department of Human Services to interview the child before the child returns home where the abuse may be occurring. Also, the 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.

If an MESD employee is the suspected abuser, the reporting procedure remains the same and the related administrative regulations will apply. When MESD receives a report of suspected child abuse by one of its employees, and the Superintendent determines that there is reasonable cause to support the report, MESD shall place the 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 further investigated; or (2) determines that the report is founded and MESD takes the appropriate disciplinary action against the employee. The Superintendent when making a reasonable cause determination shall consult with law enforcement before conducting independent interviews of witnesses, alleged victims or suspects in order to prevent the compromise of any parallel criminal investigation. Law enforcement shall share with the Superintendent information the Superintendent may need in making a reasonable cause determination unless doing so would compromise an ongoing criminal investigation. If the Department of Human Services or a law enforcement agency is unable to determine whether the child abuse occurred, MESD may either reinstate the employee or take disciplinary action at MESD's discretion.

MESD will not initiate its own investigation, pending an outcome from the law enforcement/ Department of Human Services investigation.

## **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 MESD employees pursuant to the provisions of the Child Abuse Act are confidential and are not accessible for public inspection. However, the administrator or designee shall make such records available to any law enforcement agency, the Department of Human Services, the Teacher Standards and Practices Commission or a child abuse registry in any other state for the purpose of subsequent investigation of child abuse, and to any physician, regarding any child brought to the physician or coming before the physician for examination, care or treatment. However, prior to the disclosure of a disciplinary record the administrator or designee shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or MESD employee who is not the subject of the disciplinary record.

## **Failure to Comply**

Any MESD employee who fails to report a suspected child abuse as provided by this policy and the prescribed Oregon law commits a violation punishable by law. An MESD employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. In addition, failure to comply shall constitute just cause for disciplinary action against the employee who fails to report suspected child abuse or maintain confidentiality of records as required by this policy.

## **Cooperation with Investigator**

The staff shall make every effort in suspected child abuse cases to cooperate with police agencies as follows:

1. 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 child abuse, MESD 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. MESD 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.