Sherman County S. D.

Code: **JHFE-AR**
Adopted: 8/14/95

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 this district that all school employees shall promptly comply with the statutory requirements concerning the reporting of a suspected child abuse. In particular, all school employees having reasonable cause to believe that any student with whom the employee comes in contact has suffered abuse, or that any person with whom the employee comes in contact has abused a student, shall orally report or cause an oral report to be immediately made by telephone or otherwise to the local office of the Children's Services Division or to a law enforcement agency within the county where the person making the report is at the time of his/her contact.

If known, such report shall contain the names and addresses of the student, the student's parents or other persons responsible for the student's care, the student'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.

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 school 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 child abuse, and to any physician, at the request of the physician, regarding any student brought to the physician or coming before the physician for examination, care or treatment.

Failure to Comply

Any school 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. A school 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 school district disciplinary action against the school employee who fails to report suspected child abuse or maintain confidentiality of records as required by this policy.

Cooperation with Investigator

The district 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, school employees shall not notify parents;

3. The principal or representative shall advise the investigator of any conditions of disability, if any, prior to any interview with the affected student;

4. A school administrator or staff member is not authorized to reveal anything that transpires during an investigation in which the administrator or staff member participates, nor shall the information become part of the student's education records, except that the school administrator or staff member 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 school 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.