

Reporting of Suspected Abuse of a Child

Any public charter school employee who has reasonable cause or reasonable suspicion to believe that any child with whom the employee has come in contact has suffered abuse or neglect, as defined in state law, by any adult or by a student with whom he/she is in contact has abused a child, will immediately notify the Oregon Department of Human Services, Community Human Services or the local law enforcement agency. The school employee shall also immediately inform his/her supervisor or public charter school administrator.

Abuse of a child by public charter school employees or by students will not be tolerated. All public charter school employees are subject to this policy and the accompanying administrative regulation. If a public charter school employee is a suspected abuser, reporting requirements remain the same.

The public charter school administrator will implement such regulations as are necessary to accomplish the intent of this policy and to comply with state law. The public charter school will designate the administrator to receive reports of abuse. In the event the designated person is the suspected abuser, the Board chair shall receive the report of abuse. The public charter school will post in the student/parent handbook the name and contact information of the person designated to receive abuse reports, as well as the procedures the administrator will follow upon receipt of a report. When the administrator takes action on the report, the person who initiated the report must be notified.

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

Upon request, the public charter school shall provide records of investigations of suspected abuse of a child by a public charter school employee or former employee to law enforcement, Oregon Department of Human Services or Teacher Standards and Practices Commission.

Any public charter 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. Further, 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 complainant. If a student initiates a report of suspected abuse of a child by a public charter school employee or a student, in good faith, the student will not be disciplined by the Board or any public charter school employee.

Public charter school staff shall receive training each school year in the prevention and identification of abuse of a child and on the obligations of school employees under ORS 419B.005 and as directed by public charter school board policy to report suspected abuse of a child. In addition, an annual training for parents

and legal guardians of students attending public charter schools shall be provided on the prevention, identification of abuse of a child and the obligation of school employees to report suspected abuse of a child.

Annual training designed to prevent abuse of a child will be made available to students attending a public charter school.

Intentionally making a false report of abuse of a child is a Class A violation.

The public charter school shall develop written procedures for all required training.

END OF POLICY

Legal Reference(s):

[ORS 338.115](#)
[ORS 339.370 to-339.400](#)

[ORS 418.746 to-418.751](#)
[ORS 419B.005 to-419B.050](#)

[OAR 581-022-0711](#)

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)