

Unity School District - Board of Education

Board Policy 411.1

Child Abuse Reports and Investigations

Last Revised 9/8/2015

PHILOSOPHY STATEMENT

The Board of Education believes that there are two issues regarding children's well-being and safety. First, the School District is responsible to provide a safe environment for students, free from abuse of District employees and/or other students. Second, the District acts as a legislated monitor when it reports suspected child abuse or neglect by others outside the school setting.

To meet the needs of student safety and the obligation of compliance with Wis. Statutes, the Board provides direction to members of the school community (employees and students) in reporting instances of suspected child abuse. Therefore, the Board establishes the following policy on reporting and possible investigation of child abuse complaints and/or reports.

DEFINITIONS:

1. **ABUSE** – Generally, the term “abuse” in the law and in this policy means non-accidental physical injury, sexual abuse (intercourse, sexual contact, sexual exploitation, sexual prostitution, or forced viewing of sexual activity) or emotional abuse as evidenced (severe anxiety, depression withdrawal, or outward aggressive behavior), thus setting the foundation for reporting of child abuse inside and outside the school community.
2. **NEGLECT** – Generally, the term “neglect” means failure, refusal or inability on the part of a parent, guardian, legal custodian, or other person exercising temporary or permanent control over a child, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of the child.
3. **“REASONABLE CAUSE TO SUSPECT”** means a belief or opinion based upon facts and circumstances which do not necessarily meet a specific burden of proof. **WHEN IN DOUBT, REPORT ANY REASONABLE SUSPICION.**

POLICY STATEMENT

School employees have a mandatory affirmative duty to report suspected abuse of children (any person under age 18) to local law enforcement and/or social service authorities.

The Board of Education has a responsibility to maintain a safe and healthful environment for children. Viewing that the school has a need to provide a protective environment, free of abuse in which the staff models appropriate behavior, and that the school and especially mandated reporters have a greater need to recognize instances of abuse and neglect.

Therefore, employees will be required to report suspected child abuse to local law enforcement or social services and a school officer described in the procedure.

Administration and/or the Board President in good faith may request written statements and conduct investigations after reporting to law enforcement and/or social services, and coordinate efforts needed by the school district to gather information and conduct its own investigation, so as not to hamper or interfere with efforts of Law Enforcement and Social Services in conducting their investigation.

Further, the Board ~~requests~~ **requires** all school employees and students to assist in keeping children safe. Therefore, employees are required to complete Child Abuse and Neglect training that is provided by the DPI.

PROCEDURE STATEMENT

Reporting Child Abuse

Employees have an obligation to immediately inform, by telephone or personally, local law enforcement authorities: (Polk County Sheriff's Department and/or the Polk County Department of Social Services) when there is reasonable cause to suspect/believe that a child has been abused or neglected or if there is reasonable cause to suspect/believe that a child has been threatened with abuse or neglect.

Individuals reporting child abuse are required to inform the employee's supervisor after reporting to police and/or social services have been in good faith may request written statements and conduct investigations after police and/or social services have been contacted and in accordance with the policy statement above. Planned action should be a cooperative effort between all agencies listed above so information can be exchanged to protect children, and rights of employees and Unity School District.

Reports of abuse by others

Unity District will also respond to complaints made in good faith by students, parents, or others about child abuse with suspected involvement by District employees or students. Administration and or the Board President in good faith may request written statements and conduct investigations after law enforcement and/or social services and in accordance with the policy statement above. Planned action should be a cooperative effort between all agencies listed above so information can be exchanged to protect children, rights of employees and the School District.

PROTECTION

Employees or students who in good faith file a complaint will not be subject to discipline or retaliation for filing the complaint by the Board of Education.

Discretion shall be used to protect employees and/or students that report to the District about suspected child abuse.

PENALTIES

Whoever intentionally violates the reporting provisions of s. 48.981, Wis. Stat., is subject to a fine or imprisonment under the law. **FAILURE TO ABIDE BY 48.981 IS A CRIMINAL OFFENSE.** In addition to any statutory penalties, failure to report to the District pursuant to this policy may result in disciplinary action. Any disciplinary action, discharge or expulsion will be undertaken consistent with the rights, contractual or otherwise, of all persons involved. For employees, this could mean disciplinary action or discharge from employment.

POLICY REVIEW

This policy is subject to review and modification by authorized Board action.

References: Wisconsin Statute 48.981

Wisconsin Statutes 121.02 (1) (i)

State of Wisconsin v. Richard Hurd 135 NW (2d) 266.