

CHILD ABUSE AND REPORTING PROCEDURES (Memo to Staff)

Attached are School Board Policy and Administrative Regulation 5141.4 which the District has adopted in order to provide procedures for the reporting of suspected cases of child abuse and neglect. Such reports are required by law. The purpose of this memo is to describe those procedures and the reasons they are being implemented.

Alaska law sets for the following:

1. **WHO MUST REPORT** - The law specifies various types of persons who must report suspected cases of abuse and neglect. These include school teachers, administrators, nurses, psychologists, paid athletic coaches and other district staff.
2. **WHAT MUST BE REPORTED** - Reports must be made when
 - a. a person described in paragraph 1 above, in the course of performing the person's professional duties,
 - b. Has "reasonable cause to suspect
 - c. That a child under the age of 18
 - d. Has suffered harm
 - e. As a result of "child abuse or neglect," which is defined as physical injury or neglect, mental injury, sexual abuse or exploitation, or maltreatment by any person.
3. **TO WHOM MADE** - The nearest office of the Department of Health and Social Services / Office of Children's Services.
4. **WHEN MADE** - Immediately and, in any case, no later than 24 hours.
5. **HOW MADE** - Unfortunately, the law does not specify and that is the reason the District has developed these procedures. **CCSD recommends staff members make a report to the office of Child Services to do so via phone call and following with an email.**

You should be aware that State law provides immunity to any person who, in good faith, makes a timely report or participates in subsequent judicial proceedings even if it should later be determined that the facts reported cannot be substantiated. Good faith belief in the truth of the report at the time it is made is the key.

You should also be aware that State law provides for the confidentiality of such reports. Naturally, they may be used in connection with investigations and judicial proceedings. Anyone who discloses information contained in one of these reports in violation of departmental regulations governing this confidentiality is guilty of a misdemeanor.

Failure to make a required report is a Class B misdemeanor and could result in criminal prosecution with a sentence of up to 90 days in jail and a fine of up to \$1,000.00. In addition, not only the District but the individual District employee might be held liable for damages arising from a failure to report. Claimants have succeeded in maintaining lawsuits against several districts on this basis across the nation.

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