

Students

CHILD ABUSE AND NEGLECT

AR 5141.4 (a)

Duty to Report

Teachers, ~~and~~ school administrators, and paid athletic coaches and volunteers who work with children at school more than 4 hours a week who have reasonable cause to suspect child abuse or neglect have a legal duty to report ~~known or suspected child abuse~~ to the nearest office of the Department of Health and Social Services immediately. The reporting duties are individual and cannot be delegated to ~~another~~ someone else. ~~individual~~.

Reporting Procedures

1. Any employee or volunteer may report known or suspected child abuse or neglect, by telephone to the nearest office of the Department of Health and Social Services, Office of Children's Services (OCS). This phone report must be followed by a faxed or electronically submitted written report of harm. ~~and report the suspected abuse.~~

- i. Complete the "North Slope Borough School District Referral Form for Suspected Child Abuse or Neglect" and fax it to the Office of Children's Services.

Office of Children's Services Contact Information, Utqiagvik	Office of Children's Services Contact Information, Anchorage:	Office of Children's Services Contact Information, Kotzebue
1078 Kiogak St Utqiagvik, AK 99723	323 E 4 th Ave Anchorage, AK 99501	333 Shore Ave Kotzebue, AK 99752
Fax: 907-852-3397	Fax: 907-269-3939	Fax: 907-442-2426
Email: reportchildabuse@alaska.gov		
Child Abuse Hotline: 1-800-474-4444		

- ii. Give the original form to the principal to place in his/her file "Suspected Child Abuse or Neglect File—Confidential." This form is not to be placed in the student's cumulative file or transferred.
2. If contact cannot reasonably be made with child protective services and immediate action is needed to protect the child, the employee or volunteer shall make the report ~~of abuse~~ to a peace officer.
3. In addition to reporting to child protective services, employees or volunteers may report harm from known or suspected child abuse or neglect to local law enforcement if the harm is believed to have been caused by a person not responsible for the child's welfare or if the employee or volunteer is unable to determine who caused the harm or whether the person believed to have caused the harm has responsibility for the child's welfare.
4. School employees and volunteers are required to cooperate and collaborate with child welfare agencies and law enforcement to provide the pertinent information needed to protect the health and safety of children.
5. School district employees and volunteers should not contact suspects, nor should the victim be interviewed beyond the initial information disclosed.

Legal Responsibility and Liability

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AR 5141.4 (b)

1. School employees are not civilly or criminally liable for filing in good faith a required or authorized report of known or suspected child abuse or neglect, or for participating in related investigative judicial proceedings.
2. A mandated reporter who fails or refuses to report an instance of child abuse or neglect and knew or should have known that the circumstances gave rise to the need for a report, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor. ~~The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report.~~
3. When two or more mandatory reports who have reasonable cause to suspect persons who are required to report have knowledge of a suspected instance of child abuse or neglect, and when there is agreement among them, the telephone report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
4. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making a good faith such a report shall be subject to any sanction.
5. ~~Determining whether or not the suspected abuse actually occurred is not the responsibility of the mandated reporter. Such determination and follow-up investigation will be made by a child protective agency.~~

(cf. 5145.11 - Questioning and Apprehension)

(cf. 5141.42 – Professional Boundaries for staff and students)

Confidentiality

All school district employees are required to protect students' rights to privacy and confidentiality. As such, all information and reports regarding child abuse or neglect shall be treated as confidential and shall be maintained in a safe place. No employee shall make available, or allow access to the written information to other students, staff or members of the public, except as required by school rule, Board Policy or law.

The principal/site administrator shall maintain the confidentiality of all reports of child abuse and neglect received, other than making the reports available to the appropriate agencies to which the reports were initially made. The principal/site administrator shall make provisions to protect and to maintain as confidential, the identity of the employee, employees or volunteers making the report.

~~When School Employees Are Accused of Child Abuse~~

~~Regardless of who is suspected of child abuse, the responsibilities of mandated reporters are to:~~

- ~~1) Identify incidents of suspected child abuse; and,~~
- ~~2) Comply with laws requiring reporting of suspected abuse to the proper authorities.~~

~~Pending outcome of an investigation by a child protective agency and prior to the filing of formal charges, the employee may be subject to reassignment or a paid leave of absence.~~

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AR 5141.4 (c)

~~Disciplinary action after the filing of formal charges shall be in accordance with district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall consult with legal counsel in implementing either suspension or dismissal.~~

~~(cf. 4117.4 – Dismissal)~~

~~(cf. 4118/4218 – Suspension/Disciplinary Action)~~

Adopted 6/01

Revised 6/03

Revised 10/04

Revised /22