

SECOND READING BY BOARD

po8462

REPORTING OF CHILD ABUSE AND NEGLECT AND SEXUAL MISCONDUCT

ADOPTED May 25, 2016 · REVISED May 9, 2019

8462 - **REPORTING OF CHILD ABUSE AND NEGLECT AND SEXUAL MISCONDUCT**

The Board is concerned with the physical and mental well-being of all children of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law. In addition, the Board strictly prohibits any actual or threatened acts of physical, mental, sexual, or other form of abuse directed towards students by any person in any District-owned, operated, or leased facility, or at any school-sponsored activity.

Staff Training Required

The Board shall require every employee to receive training provided by the Department of Public Instruction (DPI) in identifying children who have been abused or neglected and in the laws and procedures governing the reporting of suspected or threatened child abuse and neglect. Such training shall be completed within the first six (6) months of employment in the District and at least once every five (5) years after the initial training. This training may be held in conjunction with staff training for threats of violence as required in Policy 8462.01.

Training conducted in fulfillment of this policy shall include a record of the date, time, duration, and content of the training, as well as a list of all attendees at the training.

Reporting of Suspected Child Abuse or Neglect

Each District employee who has reasonable cause to suspect child abuse or neglect has occurred or is occurring, or has reasonable cause to believe a child has been threatened with abuse or neglect and that abuse or neglect is likely to occur shall be responsible for reporting immediately every case, whether verified or suspected, the circumstances giving rise to the reasonable cause.

Reporting is mandatory even if the staff member has reason to believe that the abuse or neglect occurred, but is no longer occurring (for example, the child is no longer living

with the suspected abuser). Staff members should make reports based on reasonable cause to suspect abuse or neglect and are not permitted to first investigate the circumstances in an effort to verify abuse or neglect. This can cause a loss of time and jeopardize law enforcement or social services investigations into child welfare concerns.

Reporting Procedures

The employee shall immediately call the local office of the Child Protective Services and/or ~~Welfare Department or~~ local law enforcement agency.

~~Employees shall also notify the building level administrator or the Superintendent.~~

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. A reporting employee shall not be dismissed or otherwise penalized for making a report of child abuse or neglect, unless such report was made knowing it to be false and for the purpose of harming the accused or victim in the report.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the District is a violation of the law and may subject the disseminator to civil liability for resulting damages and disciplinary action.

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Each principal should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent. Staff member reporting obligations under this policy and applicable law are the same regardless of whether the suspected abuser is a parent, guardian, or another staff member, and reports should be made accordingly.

Required Notification to Parents for Alleged Sexual Misconduct

- Staff members who possess information leading a reasonable person to suspect that misconduct may have occurred, as indicated below, shall report this immediately to a designated administrator or Title IX Coordinator, who shall inform the Superintendent of the report. After receiving a report that alleges any of the following, the Superintendent shall notify the parent of each student alleged to be a victim, target, or recipient of the alleged conduct if the individual who received the report determines there is reasonable cause to suspect that the alleged conduct occurred:

A. Sexual misconduct, as defined in 948.098 - (1)(d), Wis. Stats., by a school staff member, as defined in s. 948.098 (1) (c);

B. That an individual who has been convicted of a serious child sex offense, as defined in 948.13, Wis. Stats., ~~7~~ has engaged in an occupation or participated in

1 a volunteer position that requires the individual to work or interact primarily
2 and directly with children in a manner that would be a felony under s. 948.13.;
3 and/or
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- 5 C. That a sex offender, as defined in 948.14 (1) (d), Wis. Stats. has intentionally
6 captured a representation of a minor student without the written consent of the
7 minor student's parent or guardian.

8 Failure on the part of the staff member to immediately report the aforementioned (A.,
9 B., and/or C, above) may result in disciplinary action, up to and including termination.

10 If reporting relative to items A, B, and/or C above, then the following apply:

11 **Timing**

- 12 A. If the report is received before the end of the regular school day, the
13 Superintendent shall notify the parent by 5:00 p.m. that same day.
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15 B. If the report is received after school hours or on a non-school day, the
16 Superintendent shall provide notification by noon of the next calendar day.

17 **Method**

- 18 A. Notice must be provided in person or by phone (including voicemail) to the
19 parent(s) of the specific student who is alleged to have been the victim, target,
20 or recipient of the conduct.
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22 B. The District may follow up the in-person or phone notification with written or
23 email documentation for record-keeping purposes.

24 See also Policy 1213 - Student Supervision and Welfare and Policy 8141 - Required
25 Reporting of Staff Conduct.
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27 Revised 10/24/18

28 Reviewed 5/9/19

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32 **Legal**

33 48.02(1)(em), Wis. Stats.

34 48.981, Wis. Stats.

35 118.07, Wis. Stats.

36 175.332, Wis. Stats.
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