

DESCRIPTOR TERM: Students	Millard District Policy File Code: 6160 Approved: 10-11-18
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CHILD ABUSE OR NEGLECT REPORTING BY SCHOOL PERSONNEL

Board Policy and Responsibility

The Board recognizes that the Utah law requires the reporting of child abuse and neglect by any person who has reason to believe that a child has been abused or neglected. To implement this law the board authorizes the administration to develop procedures for school employees to carry out the intent of the law.

The administration recognizes that in order to fully implement the law on reporting child abuse or neglect, school personnel must be fully informed and made aware of their responsibilities in this area. The District administration shall train personnel. Any school employee who knows or reasonably suspects that a child has been subjected to abuse or neglect, shall report or cause reports to be made in accordance with the procedures in this policy.

A. School Personnel Education Regarding Child Sexual Abuse

The District shall provide, every other year, training to all school personnel on responding to a disclosure of child sexual abuse in a supportive, appropriate manner and on the mandatory reporting requirements of Utah Code § 53E-6-701 (regarding abuse by school personnel) and Utah Code § 62A-4a-403 (regarding reporting of child abuse). "School personnel" to receive training include all school employees, whether licensed, part-time, contract, or non-licensed.

Utah Code § 53G-9-207(3)(a)(i) (2018)

B. Training Materials

The training required under this policy shall use the instructional materials prepared and approved by the State Board of Education.

Utah Code § 53G-9-207(3)(b) (2018)

C. Evidence of Compliance

The District must provide evidence of compliance with these training and instructional materials requirements upon request of the State Board of Education.

Utah Code § 53G-9-207(7) (2018)

D. General Guidelines - Reporting Requirements

1. Whenever any employee of the District knows or reasonably believes that a child has been neglected, or physically or sexually abused, such employee shall immediately notify the nearest peace officer, law enforcement agency or office of the State Division of Child and Family Services (DCFS). Under such circumstances, the employee shall also notify the building principal. Such a report to the principal does not satisfy the employee's personal duty to report to law enforcement or DCFS. It is not the responsibility of school employees to prove that the child has been abused or neglected or determine whether the child is in need of protection. Investigations are the responsibility of the Division of Child and Family Services. Investigation by education personnel prior to submitting a report should not go beyond that necessary to support a reasonable belief that a reportable problem exists.
2. School officials shall cooperate appropriately with DCFS and law enforcement agency employees authorized to investigate charges of child abuse and neglect, assisting as asked as members of interdisciplinary child protection teams in providing protective, diagnostic, assessment, treatment, and coordination services, including:
 - a. allowing appropriate access to students;
 - b. allowing authorized agency employees to interview children consistent with DCFS and local law enforcement protocols;
 - c. making no contact with parents/legal guardians of children being questioned by DCFS or local law enforcement; and
 - d. cooperating with ongoing investigations and maintaining appropriate confidentiality.
3. The employee shall maintain the confidentiality of and not disclose any information learned in connection with an investigation except with those persons with whom the employee is required to cooperate, including the Division, law enforcement, the State Board of Education, or supervisory District officials.
4. Persons making reports or participating in an investigation of alleged child abuse or neglect in good faith are immune from any civil or criminal liability that otherwise might arise from such actions, as provided by law.
5. The anonymity of those reporting or investigating child abuse or neglect will be preserved and information provided pursuant only to the manner provided for in Utah Code § 62A-4a-412.

Utah Admin. Rules R277-401-3 (September 21, 2017)

Utah Code § 62A-4a-403 (2018)

Utah Code § 62A-4a-412 (2017)

E. Reporting Requirements of Physical or Sexual Abuse of Students By School Employee

1. An employee who has reasonable cause to believe that a student may have been physically or sexually abused by a school employee shall immediately report that belief to both the school principal and the superintendent.
2. A District administrator, including the Superintendent, who has received such a report or who otherwise has reasonable cause to believe that a student may have been physically or sexually abused by an educator shall immediately report that information to the Utah State Board of Education and to the Utah Professional Practices Advisory Commission.

Utah Admin. Rules R277-515-3(4)(I) (December 1, 2017)

Utah Code § 53E-6-701 (2018)

F. Reports and Information Confidential

Reports and information of abuse or neglect generated by the Millard School District or any of its employees shall be deemed protected records and subject to the requirements of Title 63G, Chapter 2, Government Records Access and Management Act ("GRAMA").