

Board Policy

The personal safety and welfare of each child is of the highest priority to the school board, employees, and patrons of Shelley Joint School District No. 60. It is of particular importance that employees within the district become knowledgeable and thoroughly educated as to their legal and ethical responsibilities on the observation and reporting of suspected child abuse.

It is the policy of Shelley Joint School District No. 60 to cooperate with the Idaho Department of Health and Welfare in their investigations of possible child abuse, neglect, and abandonment.

This is in compliance with Idaho Codes governing school, and the definitions and statutes governing the reporting and investigation of child abuse, neglect, and abandonment. This policy was formulated using written guidance from the Idaho Attorney General's office. This policy applies in all investigations WHETHER OR NOT the school district had reported the suspected abuse, neglect, or abandonment.

Guidelines

The following guidelines will be followed in relation to the legal responsibility when child abuse is suspected:

1. Section 16-1619 of the Idaho Code places specific responsibility on school district employees who have reasonable cause to believe that a child under the age of 18 years has been abused, abandoned or neglected, or who observes the child being subjected to conditions, or circumstances which reasonably could result in abuse, abandonment or neglect, to report or cause to be reported, within twenty-four (24) hours the condition or circumstances to the Department of Health and Welfare Child Protective Services or to the appropriate law enforcement agency.
2. The employees of the school district, if other than the principal, will report the incident immediately to the principal. It is then incumbent upon the principal to notify the appropriate enforcement agency.
3. Abuse is defined under the statute as any case in which a child has been the victim of conduct resulting in skin bruising, bleeding, malnutrition, sexual molestation, burns, fracture of any bones, abandonment or neglect.
4. "Any person acting upon reasonable cause in the making of a report of negligence, abuse or abandonment shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any such judicial proceeding resulting from such report. Any person who

reports in bad faith or with malice shall not be protected by this section." (Idaho Code 16:1620)

5. Annually, at the commencement of the school year, the principal shall review with staff the legal requirements concerning suspected child abuse.

Release of Information

1. Abuse. All school district personnel will provide information as requested by the Department of Health and Welfare including access to the student's permanent records.
2. Neglect. All school district personnel will provide information requested by the Department of Health and Welfare based on their knowledge and observations of the child. Information derived solely from the student's permanent records or access to the permanent records can be made available if the nature of the neglect presents a health or safety emergency to the child. Idaho Code indicates that if neglect is due to hospitalization, incarceration, or mental or physical incapacity of the parent, there MAY not be a health or safety emergency.
3. Abandonment. All school district personnel will provide information requested by the Department of Health and Welfare based on their knowledge and observations of the child. Idaho Code does not include in the definition of abandonment any requirement of danger to the child's health and safety. Therefore, release of information derived solely from the permanent records or access to the records MAY be in violation of the Family Educational Rights to Privacy Act (FERPA).

Use of Facilities

1. In all child protection investigations by the Department of Health and Welfare, school facilities will be made available to the investigator for conducting confidential interviews with the child. This should be done in a reasonable and prudent manner to expedite the investigation. A representative of the school may be present during the interview and may be required to testify in court.
2. If at any time the school is contacted by the parents as to whether or not the Department of Health and Welfare interviewed their child at school, the school should acknowledge such and refer the family to the Department for explanation.

If at any time the school has questions regarding actions of the Department of Health and Welfare, a school representative should contact the Department at 785-5826.

Policy Number _____ 504.40

CHILD ABUSE

Date of Adoption _____ March 19, 1991

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SHELLEY JOINT SCHOOL DISTRICT NO. 60
REPORT OF CHILD ABUSE OR NEGLECT

Name of child: _____ Age: _____

Child's address: _____ Sex: _____

_____ Grade: _____

Name of parent(s) or guardian(s): _____

Address: _____ Phone: _____

Type of suspected abuse or neglect:

- | | | | |
|----------------------------------|-----------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Burns | <input type="checkbox"/> Fracture | <input type="checkbox"/> Sexual Abuse | <input type="checkbox"/> Malnutrition |
| <input type="checkbox"/> Beating | <input type="checkbox"/> Neglect | <input type="checkbox"/> Abandonment | <input type="checkbox"/> Other (specify) |

Statement of time, place and conditions prompting report: _____

_____ Date: _____

Child's account of injury or situation: _____

Person or agency receiving report: _____
