

**DEERFIELD COMMUNITY**

**CODE: 454**

**SCHOOL DISTRICT**

**DATE OF ADOPTION: 5-16-88**

**Revised: 2/15/93**

### **REPORTING CHILD ABUSE**

The Deerfield Community School District recognizes that the most important role of the school in today's society is to provide students with the best possible opportunities for educational success. The district also recognizes that children who are abused and/or neglected not only are harmed physically and emotionally, but also educationally. The district is committed to providing a positive environment within the school and assisting families and community child protection agencies to provide positive environments in the home and community as well. As part of that commitment, the Deerfield Community School District establishes the following policy regarding reporting of any threatened or suspected child abuse or neglect in accordance with s. 48.981.

The legal responsibility of the district for identifying and reporting suspected cases of child abuse or neglect derives from Wisconsin State Statutes, Section 48.981 (2) and 972.16 (1987). This legislation stipulates the following:

1. A physician, coroner, medical examiner, speech therapist, occupational therapist, physical therapist, nurse, dentist, chiropractor, audiologist, optometrist, or any other medical or mental health professional social or public assistance worker; school teacher, psychologist, administrator, or counselor; child care worker in any daycare center or child caring institution; or police or law enforcement officer having reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected shall report.
2. Anyone intentionally violating this statute by failing to file a report as required may be fined or imprisoned or both.
3. Any person or institution participating in good faith in the making of a report, ordering or taking of photographs, or ordering or performing medical examinations of a child under this section shall have immunity from any liability, civil or criminal, that results by reason of the action. No person making a report under the above section may be discharged from employment for doing so.
4. The local county child welfare organization is the responsible agency for investigating and resolving referred cases.

Wis. Stats. 48.981 ABUSED OR NEGLECTED CHILDREN, (1) DEFINITIONS. In this section:

1) "Abuse" means any of the following:

- a) *Physical Abuse* – Physical abuse is defined as physical injury inflicted on a child by other than accidental means. Physical injury includes, but is not limited to, lacerations, fractured bones, burns, internal injuries, or severe or frequent bruising.
- b) *Sexual Abuse* – Sexual abuse includes sexual intercourse or contact, sexual exploitation, forced viewing of sexual activity, or permitting or allowing encouraging a child to engage in prostitution.
- c) *Emotional Abuse* – Emotional abuse means harm to a child's psychological or intellectual functioning which is exhibited by severe anxiety, depression, withdrawal, or outward aggressive behavior, or a combination of those behavior which is caused by the child's

parent, guardian, or legal custodian or other person exercising temporary or permanent control over the child and for which the child's parent, guardian, or legal custodian has failed to obtain the treatment necessary to remedy the harm. Emotional damage may be demonstrated by substantial and observable change in behavior, emotional response, or learning which is incompatible with the child's age or state of development.

- d) A violation of s. 940.203.
  - e) Permitting or requiring a child to violate s. 944.30.
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- 2) "Child" means any person under 18 years of age.
  - 3) "County agency" means a county child welfare agency under s. 48.56(1) or a community human services board under s. 46. 23.
  - 4) "Neglect" means failure, refusal, or inability on the part of a parent, guardian, legal custodian, or other person exercising temporary or permanent control over a child, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of the child.
  - 5) "Physical injury" is defined under s. 939.22(14).

Although the county has the ultimate legal responsibility for processing these cases, school personnel through daily contacts represent a community's most easily and regularly available public protector and advocate for vulnerable children. Accordingly, during the entire process of identification, referral, and treatment, it is essential that involved community resources, the family, and the school function as much as possible as a team.

School personnel shall be available to work actively with both the child and the family during and following all child abuse or neglect referrals. Principals, school nurses, counselors, and the psychologist will be encouraged to take an active part in assisting at all levels with the abused or neglected child and the family. The classroom teacher and other school personnel can be expected to make important contributions in individual cases.

All school personnel shall regularly update their knowledge regarding child abuse and neglect, including the legal requirements of new legislation and treatment processes. Such updating of professional knowledge shall be accomplished through district-sanctioned inservice and other available training opportunities. Therefore, the district shall foster the training of key personnel to maintain a high level of competence for all staff in the special area of child abuse and neglect and their related problems.

While the laws of confidentiality apply in all child abuse or neglect cases, they shall be allowed to interfere with the legal obligation to refer to the Dane County Department of Social Services.

In addition, referral information shall not become a part of the student's school record.

The district recognizes and accepts its responsibility toward students regarding the preventive aspects of child abuse or neglect. Therefore, the district endorses curricular offerings to students stressing parenting and coping skills.