

PROCEDURES FOR REPORTING CHILD ABUSE/NEGLECT

A. Definitions

1. **“Abuse”** is defined as any of the following:
 - physical injury inflicted on a child by other than accidental means (When used in referring to an unborn child, serious physical harm inflicted on the unborn child, and the risk of serious physical harm to the child when born, caused by the habitual lack of self-control of the expectant mother of the unborn child in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.);
 - sexual intercourse or sexual contact under [sections 940.225, 948.02, 948.025, or 948.085](#);
 - sexual exploitation of a child under [section 948.05](#);
 - permitting, allowing or encouraging a child to engage in prostitution under [section 944.30](#);
 - causing a child to view or listen to sexual activity under [section 948.055](#);
 - for purposes of sexual arousal or gratification, either causing a child to expose genitals or pubic area or exposing genitals or pubic area to a child under [section 948.10](#);
 - manufacturing methamphetamine in violation of [section 961.41\(1\)\(e\)](#) under any of the following circumstances: (1) with a child physically present during the manufacture, (2) in a child's home, on the premises of a child's home, or in a motor vehicle located on the premises of a child's home, or (3) under any other circumstances where a reasonable person should have known that the manufacture would be seen, smelled or heard by a child; or
 - emotional damage for which the child's parent, guardian or legal custodian has neglected, refused or been unable for reasons other than poverty to obtain the necessary treatment or to take steps to

ameliorate the symptoms.

When used in referring to an unborn child, serious physical harm inflicted on the unborn child, and the risk of serious physical harm to the child when born, caused by the habitual lack of self-control of the expectant mother of the unborn child in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.

2. **"Emotional damage"** means harm to a child's psychological or intellectual functioning. "Emotional damage" shall be evidenced by one or more of the following characteristics exhibited to a severe degree: anxiety, depression, withdrawal, outward aggressive behavior, or a substantial and observable change in behavior, emotional response or cognition that is not within the normal range for the child's age and stage of development.
3. **"Neglect"** is defined as failure, refusal or inability on the part of a caregiver, 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.

B. Child Abuse or Neglect Reporting Process for District Employees

1. Any school employee who has a reasonable cause to suspect that a child seen in the course of their professional duties has been abused or neglected or has reason to believe that a child has been threatened with abuse or neglect and that abuse or neglect will occur, shall contact, by telephone or in person, one of the following agencies and inform the agency of the facts and circumstances contributing to a suspicion of child abuse or neglect or to a belief that abuse or neglect will occur.
 - Washington County Human Services Department
Children & Families Division
333 E. Washington Street
West Bend, WI 53095
(262) 335-4610
Family Intake Line (For reporting possible child abuse/neglect) (262) 335-4888
 - Washington County Sheriff Department

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500 N. Schmidt Road
West Bend, WI 53095
(262) 335-4378
(262) 335-4411 (After hours)

- Slinger Police Department
300 Slinger Road
Slinger, WI 53086
(262) 644-6441
(262) 335-4378 (After hours)

It shall be the aim of the school employee to make the report of his/her concerns to the appropriate agency as quickly as possible. Any delay would not be in the best interests of the child. Telephone or personal reports will be followed up with a written report to child protective services or the law enforcement agency to the extent consistent with department/agency standards and procedures.

2. When making a child abuse or neglect report, the reporter should be prepared to provide as much of the following information as possible:
 - a. The employee's name, phone number, relationship to the child, and school phone number.
 - b. The name, home address, and age of the child suspected of or threatened with being abused or neglected.
 - c. The name, home address(es) and work place(s) of the child's parent(s) or guardian.
 - d. The names and ages of the child's siblings, if relevant to the report.
 - e. A description of why he/she believes the child has been abused or neglected or has been threatened with abuse or neglect, statements allegedly made by the child to others, and any relevant circumstances or conditions in the home or elsewhere of which the reporter is aware.

If the child abuse/neglect report involves a child who is a participant in the state's address confidentiality program (the Safe at Home program), the reporter should keep in mind the confidentiality requirements for that program and inform social/human services or law enforcement officials that the child is a Safe at Home participant and that he/she is prohibited from

releasing any actual address information related to the child. Social/human services can ask law enforcement officials to request a release of participant information directly from the Safe at Home program.

3. Employees may wish to consult with student services staff (a school guidance counselor, a school social worker or the school psychologist) or the building principal for assistance in the reporting process. The student services staff member or building principal shall support the school employee in their action and shall not attempt to delay, modify, or prevent any employee from making a report.
4. In all cases, the building principal shall be informed that a child abuse or neglect report has been made.

C. Child Abuse or Neglect Reporting Process for School Volunteers and Individuals Performing Contracted Services for the District

1. Any school volunteer or individual performing contracted services for the District who is a state mandated reporter under the child abuse and neglect reporting law shall report suspected or threatened child abuse or neglect in accordance with his/her obligations under the law.
2. Any school volunteer or any individual performing contracted services for the District who suspects that a child seen in the performance of their school-related duties has been abused or neglected, or threatened with abuse or neglect, and who does not have a personal legal obligation to file a report, is strongly encouraged to report the suspicion or belief to a member of the student services staff (a school guidance counselor, a school social worker or the school psychologist) or building principal. The student services staff member or principal receiving such information shall follow up on the information received and shall file an abuse or neglect report if he/she determines that the standard for making such a report has been met. If such a report is made by a person other than the principal, the building principal shall be informed that the report was made.

D. Child Abuse and Neglect Investigations

1. It is not the responsibility of school personnel to investigate child abuse and neglect reports or to prove that abuse or neglect has occurred. The investigation of child abuse or neglect reports is the legal responsibility of trained county child protective services and law enforcement personnel.

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Accordingly, school personnel shall not further investigate a child abuse or neglect situation following the making of a report, except in cases where an administrator has a responsibility to conduct an independent internal investigation into alleged misconduct, as further described below within these rules. For example, school personnel shall not contact for investigative purposes a caregiver, or other person in the community, who is suspected of or who potentially may be responsible for the suspected abuse or neglect.

2. County agency personnel charged with responsibility for investigating child abuse or neglect reports may generally contact, observe or interview a child at any location, including school, to determine if the child is in need of protection or services. School personnel may not require parent notification before allowing such interviews to take place at school when the department or agency is exercising its investigative authority under state law. County child protective services or law enforcement personnel may request the cooperation of a school teacher, counselor or other person whose presence would aid in the interview process. They may also, in the exercise of professional judgment and in accordance with department standards, exclude school personnel from the interview.
3. The school employee who made the child abuse or neglect report should be available to child protective services and/or law enforcement personnel when they conduct an investigation about the child abuse or neglect report. If the child abuse or neglect report is made by someone other than the person who originally suspected the abuse or neglect, the original person who suspected the abuse or neglect should also be available to child protective services or law enforcement personnel conducting the investigation.
4. A social worker with county child protective services has the same power as a law enforcement officer to take a child into custody if the child comes voluntarily or if the social worker believes on reasonable grounds that the child is suffering from illness or injury or is in immediate danger from his/her surroundings, and removal from those surroundings is necessary. If child protective services or law enforcement personnel make the decision to remove a student from school on this basis, the building principal or his/her designee should be notified.
5. If a District student, employee or other school official is the suspected abuser in a child abuse report; school officials should do their own internal

investigation to determine possible school disciplinary and other appropriate actions. When the District investigates misconduct by students or staff, parents and guardians will be notified as appropriate to the investigation. Disciplinary action taken as a result of the investigation should be consistent with established District policies and procedures; provisions of current collective bargaining agreements, if any; or, employee handbooks.

E. Confidentiality of Student Record and Child Abuse and Neglect Report Information

1. School personnel shall keep in mind state and federal laws and school district procedures regarding the confidentiality of student records when sharing information from a student's school records with child protective services or law enforcement personnel. The information should only be disclosed if authorized by law. For example, state and federal laws authorize the disclosure of student record information in connection with an emergency if knowledge of the information is necessary to protect the health or safety a student or other individuals. When a student record is disclosed under this particular confidentiality exception, school personnel must record the following information: (1) the threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and (2) the parties to whom the district disclosed the information.
2. To provide for compliance with state law requirements, school personnel should keep child abuse and neglect reports and any information obtained from child protective services or law enforcement personnel regarding a child abuse or neglect report in a confidential file that is separate from the student's regular school records file(s). Such information can only be disclosed to the persons and for the purposes specified by law.

Legal References:

Cross References:

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