

Dell Rapids School District #49-3



Policies and Regulations Code: JHG – Students

JHG REPORTING CHILD ABUSE

Because of their regular contact with school-age children, school employees are in an excellent position to identify abused or neglected children.

To comply with the state statutes, it is the policy of the Dell Rapids School District 49-3 that any teacher, school counselor, school official or other school employee who has reasonable cause to suspect that a child under 18 years of age has been neglected or abused (including sexual or emotional abuse) by any person including parent or other person, shall report in writing to the Principal or Superintendent who shall then immediately report orally to the States Attorney, or to the Department of Social Services, or to the County Sheriff, or to the City Police. The Principal or Superintendent shall inform the school employee initiating the action within 24 hours and in writing that the report has been made. The employee shall make the report directly to the proper authorities if the Principal or Superintendent fails to do so.

It is a Class I misdemeanor punishable by up to a \$1,000 fine, or a year in jail, or both, for a teacher, school counselor, school official or other school employee who has reasonable cause to suspect that a child under the age of 18 years has been neglected or abused to knowingly and intentionally fails to report the same as required in this policy and state law.

The report to the principal or superintendent shall contain the following information: name, address and age of child; name and address of parent or caretaker; nature and extent of injuries or description of neglect; any other information that might help establish the cause of the injuries or condition.

School employees, including administrators, shall not contact the child's family or any other person to determine the cause of the injury resulting in suspected abuse or neglect. It is not the responsibility of the school employees to determine or prove that the child has been abused or neglected, or to determine whether the child is in need of protection. A school employee's responsibility is limited to reporting his or her suspicion of abuse or neglect.

Any physical inspection of the child should be conducted in a considerate, professional manner. Information or records concerning reports of suspected abuse or neglect are confidential and the release to persons other than provided by law is punishable by \$1,000 fine, one year in jail or both.

Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting or from any resulting judicial proceeding even if the suspicion is proved to be unfounded.

Copies of this policy shall be distributed by the Superintendent or his or her designee to all school employees at the beginning of each school term and to new employees when they begin employment if at a different time than the beginning of the school term.

The Board will support any employee making a report of suspected child abuse or neglect unless it is determined that the employee was acting in bad faith in making the report.

LEGAL REFS.:

SDCL 26-8-6; 26-10-10; 26-10-11
26-10-12; 26-10-12.2; 26-10-12.3
26-10-14

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