

Board Policy 403.02 R1  
Adopted 6-11-2002  
Revised 3-09-2015

## CHILD ABUSE REPORTING REGULATION

Any school employee shall make an oral report by telephone to the local law enforcement Authorities or the Child Protective Service Unit of the Nebraska Department of Social Services when that employee has reasonable cause to believe that a child has been subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which reasonably would result in abuse or neglect.

"Child abuse" is defined as knowingly, intentionally or negligently causing or permitting a minor child to be:

- Placed in a situation that endangers his or her life or physical or mental health;
- Cruelly confined or cruelly punished;
- Deprived of necessary food, clothing, shelter, or care;
- Placed in a situation to be sexually exploited by allowing, encouraging, or forcing such minor child to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films or depictions; or
- Placed in a situation to be sexually abused as defined in Neb. Statutes 28-319 or 28-320.01.

The oral report shall include the caller's name and address.

The oral report will be followed by a written report that shall include to the extent available, the following:

- The employee's name and address;
- The address and age of the abused or neglected child;
- The address of the person(s) having custody of the child;
- The nature and extent of the abuse or neglect or the conditions and circumstances which would reasonably result in such abuse or neglect;
- Any evidence of previous abuse or neglect, including the nature and extent; and
- Any other information which in the opinion of the person making the report may be helpful in establishing the cause of such abuse or neglect and the identity of the perpetrator(s).

Any person participating in an investigation of and/or making such a report as required by law will be immune from any civil or criminal liability, except for in the case of making maliciously false statements.

Failure to make such a required report, or knowingly releasing confidential information other than as permitted by law will result in a Class III misdemeanor. An employee found guilty in a court of law for not reporting child abuse as required in Neb. Statute 28-711 risks termination.

It is not the responsibility of employees to prove that a child has been abused or neglected. Employees should not take it upon themselves to investigate the case or contact the family of the child. The Child Protective Service Unit of the Nebraska Department of Social Services is responsible for investigating the incident of alleged abuse.

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All reports shall be confidential and shall not become a part of a student's educational record.

The parents or guardians of the abused or neglected child need not be notified.

If the employee considers the situation to be critical and possibly life threatening, and when the Child Protective Services Unit cannot respond promptly, the employee, in cooperation with the employee's immediate supervisor, shall obtain assistance by calling 911 and requesting the law enforcement department or an ambulance to respond as appropriate.

A representative, properly identified, from the Child Protective Services Unit or from the local police department shall be allowed to interview the child at the school facility following a report of child abuse or neglect. The employee and/or the immediate supervisor shall be present during the interview.

Photographic evidence may be obtained only by law enforcement personnel.

Nothing in this administrative regulation shall be construed to prohibit employees from the professional sharing of observations and information about a student or requesting the same from other employees; however, once the observation and information causes an employee to become aware of any abuse or neglect, the obligation to report becomes mandatory.

Legal Reference:     §28-707 Child Abuse, Reports, through §28-717 Investigation, Liability  
                          §43-2101 Persons Declared Minors, Marriage Effect