

REPORTING CRIMES, ACTS OF VIOLENCE AND CHILD ABUSE/NEGLECT

By law and regulation, crimes, acts of violence and child abuse/neglect must be reported to the appropriate authorities. The purpose of this policy is to summarize those reporting requirements for employees of the New Hanover County Schools.

A. Duty of all New Hanover County School employees to report Child Abuse/Neglect to the New Hanover County Department of Social Services.

All employees shall report to the New Hanover County Department of Social Services any situation in which they have cause to suspect child abuse or neglect involving a student of the New Hanover County Schools, as required by Policy 6440.

B. Duty of teachers and teacher assistants to report to the principal acts of violence.

In addition to the requirements of section A above, a teacher, student teacher, substitute teacher, voluntary teacher, or teacher assistant shall report to the principal acts of violence in school and students suspended or expelled from school as required to be reported in accordance with State Board of Education policies.

C. Duty of principal to report.

In addition to the requirements of section A above, principals shall report as follows:

1. Duty of principals to report crimes to law enforcement.

When the principal has personal knowledge or actual notice that any criminal offenses have occurred on school property he/she shall report those offenses to law enforcement. If the principal has personal knowledge or actual notice from school personnel that one of the following acts has occurred on school property he/she shall report the acts immediately to the appropriate law enforcement agency and the failure to do so is a Class 3 misdemeanor: acts involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law and possession of a controlled substance in violation of the law. For purposes of this policy, "school property" shall include any public school building, bus, school bus stop, public school campus, grounds, recreational area, or athletic field, in the charge of the principal. Definitions of the various crimes specified in this paragraph are detailed in the Administrative Procedures Manual.

2. Duty of principal or principal's designee to notify Superintendent or Superintendent's designee of reports to law enforcement.

The principal or principal's designee shall notify the Superintendent or the Superintendent's designee in writing or by electronic mail regarding any report made to law enforcement under this policy. This notification shall occur by the end of the workday in which the incident occurred when reasonably possible but not later than the end of the following workday.

3. Duty of principal or principal's designee to notify parents or guardians.

The principal or principal's designee shall provide prompt notice to the parents or legal guardians of any student alleged to be a victim of any act required to be reported to law enforcement under this policy.

D. Duty of Superintendent, assistant superintendents, administrators and principals to report to the State Superintendent of Public Instruction.

The Superintendent, assistant superintendents, administrators or principals who know or have reason to believe that a licensed employee of the New Hanover County Schools has engaged in certain behavior as defined below in this section D shall report that information to the State Superintendent of Public Instruction no later than five working days after the date of a dismissal or other disciplinary action or the acceptance of a resignation based upon that conduct. The behavior or conduct of the employee which must be reported under this section D is that which involves "physical or sexual abuse" of the child (as defined below) and which would justify revocation of the employee's license for any of the following reasons:

1. Conviction or entry of a plea of no contest, as an adult, of a crime if there is a reasonable and adverse relationship between the underlying crime and the continuing ability of the person to perform any of his/her professional functions in an effective manner,
2. Final dismissal of a person by the New Hanover County Board of Education pursuant to N.C.G.S. 115C-325(e)(1)(b), if there is a reasonable and adverse relationship between the underlying misconduct and the continuing ability of the person to perform any of his/her professional functions effectively, or
3. Any other illegal, unethical or lascivious conduct by a person, if there is a reasonable and adverse relationship between the underlying conduct and the continuing ability of the person to perform any of his/her professional functions in an effective manner.

For purposes of this section D, the term "physical abuse" shall mean the infliction of physical injury other than by accidental means and other than in self-defense and the term "sexual abuse" shall mean the commission of any sexual act upon a student or causing a student to commit a sexual act, regardless of the age of the student and regardless of the presence or absence of consent.

E. Duty of Superintendent to report.

In addition to the requirements of sections A and D above, the Superintendent shall notify the New Hanover County Board of Education of all reports received from principals under section C. 2.

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Ref: 115C-288(g), 115C-307, 115C-47(56), State Board of Education Policy HRS-A-000, 115C-400, 16 NCAC 6C.0312