

## **300.11 MALTREATMENT OF MINORS**

### **A. Maltreatment of Minors**

1. It is the policy of Independent School District No. 2711 to protect children whose health or welfare may be jeopardized through physical or sexual abuse or conditions of neglect.
2. It is the policy of Independent School District No. 2711 to comply with the law requiring the reporting of suspected physical or sexual abuse and conditions of neglect involving minors.
3. The reporting of maltreatment of minors shall be strictly in accordance with the provisions of Minnesota Statute, Chapter 626.556.

### **B. Definitions**

1. **Physical Abuse:** Any physical injury inflicted by a person responsible for the child's care, on a child other than by accidental means, or any physical injury that cannot reasonably be explained by the child's history of injuries.

Such injuries may include:

- bruises and welts
- burns and scalding
- abrasions and lacerations
- wounds or cuts
- bites and punctures
- bone fractures
- malnutrition
- concussions
- failure to thrive
- soft-tissue swelling

2. **Sexual Abuse:** The subjection by a person responsible for the child's care, or by a person in a position of authority to any act which constitutes a violation of sections Minnesota Statutes 609.341, subdivision 10 to 609.345. Sexual abuse also includes any acts of sexual exploitation involving a minor child in prostitution (Section 609.324).
3. **Neglect:** Means failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter or medical care when reasonably able to do so or failure to protect a child from conditions or actions which imminently and seriously endanger the child's physical or mental health when reasonably able to do so.

Neglectful conditions may include:

- abandonment

- lack of special care for a physical or mental condition
- inadequate parental care or supervision
- inadequate foster care or illegal child placement
- failure to provide necessary subsistence or education
- threats of physical harm

It is not construed to mean that a child is neglected solely because the child's parent, guardian or other person responsible for his care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child.

- C. **Persons Mandated to Report:** All persons employed by Independent School District No. 2711 who knows or has reason to believe a child is being neglected or physically or sexually abused shall immediately report the information to the local welfare agency or police department. This may be done orally and will be followed as soon as possible by a report in writing to the appropriate police department, the county sheriff or local welfare agency.
1. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.
  2. A referral form is available in the school nurse's office. The written copy of a report maintained by school personnel shall be confidential.
  3. Any person mandated to report shall, upon request to the local welfare agency, receive a summary of the disposition of any report made by that reporter unless release would be detrimental to the best interests of the child.
- D. **Immunity from Liability**
1. Any person acting in good faith and exercising due care in making a report pursuant to this law shall have immunity from any liability, civil or criminal, that otherwise might result by reason of his action.
  2. **Falsified Reports:** Any person who willfully or recklessly makes a false report under the provisions of this act shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury.
  3. **Failure to Report:** Any person required by this law to report who knows or has reason to believe that a child is neglected or physically or sexually abused and willfully fails to do so may be found guilty of a misdemeanor.
- E. **Duties of Local Welfare Agency and Local Law Enforcement Agency Upon Receipt of a Report:**

1. Upon receipt of a report the local welfare agency and or police shall immediately but in no event longer than 24 hours conduct an assessment and offer protective social services.
  2. The assessing agency has the authority to interview, without parental consent, the alleged victim and any other minors who currently reside with or who resided with the alleged perpetrator. The interview may take place at school. If the interview took place or it to take place on school property the order shall specify that school officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school property.
  3. When the local welfare or the police department determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by the school officials prior to the interview.
  4. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school staff when an interview is conducted on school premises.
  5. Any notification of intent to interview which was received by a school shall be destroyed by the school when ordered to do so by the agency conducting the assessment or investigation.
- F. Student Assessment Team: There is an established team consisting of Elementary and High School Principal, school nurse and health educator. This team is available for consulting, assessing and making referrals to appropriate agencies.
- G. Preventing Child Abuse
1. In-Service Training: The Mesabi East School District will continue to provide in-service training to school employees. These programs should stress identification, reporting, treatment, prevention of child abuse, and how to provide direct support to both child and family.
  2. Programs for all students which would help them to develop life and successful coping skills. Life skills courses teach students how to cope with crisis, the effects of stress and where and how to ask for help.
  3. School curriculum which would include classes in education for parenthood and child development, and those targeted toward adolescent parents.
- H. Goals
1. The goals in developing a Child Abuse policy and reporting procedures are to assure that school employees will be alert to instances or suspected abuse and neglect, and will, in fact, report them to the proper agency.

Mesabi East School District Personnel Will:

- Act as advocates on behalf of abused and neglected children
  - Meet the provisions of the law
  - Support school personnel in assuming their responsibility
  - Cooperate with community agencies
  - Assume a role in child abuse prevention
2. A copy of Report of Report of Maltreatment of Minors – Minnesota Statutes Section 626.556 is available in the principals' and school nurses' offices.