

Memorandum

TO: All School District Employees

FROM: Carol L. Socha, Superintendent

SUBJECT: Student Abuse, Neglect or Mistreatment

It is the policy of the Tuscola ISD that professional staff members immediately report all incidents of suspected student abuse or neglect to the Family Independence Agency and to the appropriate administrator. Support staff must immediately report all incidents of suspected student abuse or neglect to the appropriate administrator.

In addition, it is expected that all T.I.S.D. employees follow the highest standard of professional conduct when dealing with students. Any action or behavior considered to constitute mistreatment of a student shall be reported immediately to the appropriate administrator.

DEFINITION OF ABUSE (Michigan Child Protection Law):

Child Abuse is harm or threatened harm to a child's health or welfare which occurs through non-accidental injury. It includes harm caused by a parent, legal guardian, teacher or teacher's aide that takes the form of:

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| - Physical injury | - Mental injury |
| - Maltreatment | - Sexual abuse or exploitation |

DEFINITION OF NEGLECT (Michigan Child Protection Law):

Child Neglect is harm or threatened harm to a child's health or welfare which occurs through negligent treatment by a parent, legal guardian or any other person responsible for the child's health and welfare. It includes failure to provide a child with adequate:

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| - Food | - Shelter |
| - Clothing | - Medical care |

DEFINITION OF MISTREATMENT:

Any deliberate action, incident or behavior shall be considered to constitute mistreatment if it is physically or emotionally detrimental to the student's well

being. Examples of mistreatment include, but are not limited to the following: threatening or physically striking a student; speaking rudely or disrespectfully to a student; ridiculing or demeaning a student; or any similar actions or verbalizations.

EMPLOYEE RESPONSIBILITY:

All employees are responsible for safeguarding students from abuse, neglect and mistreatment. It is the assigned duty and responsibility of any employee who has knowledge of student mistreatment, abuse or neglect to immediately report such knowledge to his supervisor. Failure of an employee to report mistreatment abuse or neglect to which she/he has knowledge shall be considered grounds for disciplinary action.

ACTION TO BE TAKEN IF A CHARGE OF ABUSE, NEGLECT OR MISTREATMENT IS REPORTED:

1. The student is to be taken to either the nurse's office or the principal's office. Report action to the principal.
2. Examine any marks and document as carefully and thoroughly as possible. Photograph area(s) if possible, including as much identifying data as possible (i.e. student's name, date, time, location of injury, photographer and witness to photograph).
3. If the student is verbal, tape record an interview with the student including the student's name, interviewer's name, witness(es) name, time and place of interview. This tape should be given to the building principal or designee.
4. Write an incident report.
5. Have all witnesses write incident reports.
6. Complete all reports, tapes and photographs and retain with the administrator in a separate file.
7. Professional Staff must report suspected child abuse or neglect cases to the Family Independence Agency immediately and complete a written report on a FIA 3200 form within 72 hours of the report.
8. All information regarding the alleged abuse or neglect must be kept confidential among involved personnel.
9. It shall be the responsibility of the Superintendent, or designee, to promptly review all the facts relating to a charge of abuse, neglect

or mistreatment by an employee. When a charge of abuse, neglect or mistreatment is reported and in the judgment of the Superintendent, or designee, the information available appears to support the charge, the employee so accused will be suspended from duty pending further review and evaluation of all information relating to the charge. The Superintendent, or designee, shall conduct or have cause to conduct a full review of the matter in such manner as she/he considers appropriate. She/he may appoint a special fact-finding committee to assemble, review, and evaluate all information and testimony relating to the alleged abuse, neglect or mistreatment and to submit a full written report of the findings as promptly as possible. If the Superintendent or designee is satisfied that the accused employee has been absolved, the employee shall be restored to duty.

THE FACT FINDING COMMITTEE:

If a fact finding committee is appointed, it may consist of at least one person from each of the following categories:

- a. the administrative staff
- b. the para-professional staff
- c. the professional staff

Any employee charged with abuse, neglect or mistreatment when questioned or interviewed by the fact finding committee may have present, if she /he so desires, a representative of her/his choice. When a committee finishes its work and completes its reports it shall not be considered a standing committee, but shall be disbanded.

SUBSTANTIATED ABUSE, NEGLECT OR MISTREATMENT:

When a charge of abuse, neglect or mistreatment is substantiated, the Superintendent or designee may reprimand, demote, suspend, re-assign, dismiss, terminate, or take any similar actions regarding the involved employee. No employee shall be continued in an assignment necessitating any direct contact with students when, in the opinion of the Superintendent, or designee, her/his actions have demonstrated an impairment in judgment or emotional control which may be detrimental to the safety or well-being of the students.

Revised March 8, 2005