

Policy

On December 19, 2011, Governor Walker signed Executive Order #54 making all University Wisconsin System (UWS) employees mandatory reporters of child abuse and neglect. The University of Wisconsin-River Falls (UWRF) prioritizes safety and strives to provide a safe learning environment for everyone. Children come into contact with UWRF employees through various programs, camps, and events. All UWRF employees in accordance with Executive Order #54 must report incidents of child abuse and neglect. A UWRF employee who is a mandatory reporter by profession under Wis. Stat. §48.981(2) (e.g., health practitioner, social worker, law enforcement officer, child care provider) must continue to comply with the state mandatory reporter law requirements. In addition, this policy extends that obligation to volunteers and contractors performing services for UWRF.

Procedure

Definitions

A. "Abuse" of a child includes any of the following:

1. Physical injury inflicted on a child by other than accidental means. "Physical injury" includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe or frequent bruising or great bodily harm.
2. Sexual intercourse or sexual contact with a child under the age of 16 or with a 16 or 17 year-old child without his or her consent.
3. Sexual exploitation of a child occurs when a person employs, uses, persuades, induces, entices, or coerces any child to engage in sexually explicit conduct for the purpose of recording or displaying the conduct or records or displays a child engaged in sexually explicit conduct. Sexual exploitation of a child also occurs when a person produces, performs in, profits from, promotes, imports into the state, reproduces, advertises, sells, distributes, or possesses with intent to sell or distribute, any recording of a child engaging in sexually explicit conduct.
4. Permitting, allowing or encouraging a child to violate the statute prohibiting prostitution.
5. Causing a child to view or listen to sexual activity for purposes of sexual arousal or sexual gratification.
6. Exposing genitals or pubic area to a child or exposing a child's genitals or pubic area for purposes of sexual arousal or sexual gratification.
7. Manufacturing methamphetamine with a child present, or in a child's home (including the premises of a child's home or in a motor vehicle located on the premises of a child's home), or under any other circumstances in which a reasonable person should have known that the manufacture would be seen, smelled, or heard by a child.

8. Emotional damage for which the child’s parent, guardian or legal custodian has neglected, refused or been unable for reasons other than poverty to obtain the necessary treatment or to take steps to ameliorate the symptoms. “Emotional damage” is defined as harm to a child’s psychological or intellectual functioning and is evidenced by one or more of the following characteristics exhibited to a severe degree:

- anxiety, depression, withdrawal;
- outward aggressive behavior;
- or a substantial and observable change in behavior, emotional response or cognition that is not within the normal range for the child’s age and stage of development.

B. “Child” is a person who is less than 18 years of age.

C. “Employee” is any UWRF employee which includes student employees and volunteers.

D. “Neglect” is failure, refusal or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child.

Reporting Incidents of Child Abuse and Neglect

UWRF employees must make a report of child abuse or neglect if, in the course of employment, an employee observes an incident or threat of child abuse or neglect, or learns of an incident or threat of child abuse or neglect, and the employee has reasonable cause to believe that child abuse or neglect has occurred or will occur. Volunteers and contractors performing services for UWRF must also abide by the same reporting obligations as employees to the maximum extent feasible.

Reports may be made to the following agencies:

University of Wisconsin River Falls Police – (715) 425-3133

City of River Falls Police Department – (715) 425-0909

Pierce County Department of Human Services – (715) 273-6766

(715) 273-5051 (after hours)

Wisconsin County Child Protective Services Listing -

<http://dcf.wisconsin.gov/children/cps/cpswimap.HTM>

Reports of neglect, physical abuse, sexual abuse, emotional abuse, or being in the presence of the manufacture of methamphetamine (see definitions above) must be made to the Campus Police Department, Pierce County Child Protective Services, River Falls Police Department or the County in which the child resides. If a child resides outside of the state of Wisconsin, please report incidents directly to the Campus Police Department. Reports must be made in person or over the phone. EMAIL, TEXTING OR WEBSITE REPORTING IS NOT ACCEPTED.

If the reported abuse or neglect involves UWRF, then it must also be reported to the Chief Human Resources Officer. Any employee may request assistance from his or her supervisor in making this report. The Dean, Director, or Division Head must report abuse to the UWRF police department, if it

involves potential criminal conduct, and the Chief Human Resources Officer, if it involves any potential sexual misconduct.

Type of Information and Timeline To Report

Child abuse or neglect involving UWRF includes:

1. An allegation against a UWRF employee, student, agent, volunteer, or contractor, or;
2. The suspected child abuse or neglect occurred in or at UWRF facilities or on UWRF land, or;
3. The suspected child abuse or neglected occurred during or in connection with a UWRF sponsored activity.

Collecting additional information that is readily available (i.e. talking to co-workers who also interact with that minor) or verifying that the information learned meets the criteria for reporting may be appropriate, but any such action must be conducted **promptly**. There should not be a delay in making a report in order to gather evidence. The agency to whom the report is made will determine whether such an investigation is warranted.

UWRF employees may share information regarding suspected child abuse or neglect only with appropriate individuals, such as the agencies to whom reports are to be made, appropriate University officials, and co-workers when the employee is promptly seeking additional information for a report. Beyond appropriate disclosures, employees should treat the information as sensitive and confidential.

Reports should include:

- Known demographic information on the child;
- Information the employee observed or received with as many specifics as possible;
- Any questions asked and answers received.

No UWRF employee making a report of child abuse or neglect in good faith may be discharged from employment, disciplined or otherwise discriminated against in regard to employment, or threatened with any such treatment because that employee made a report in good faith.

Any UWRF employee who fails to report suspected child abuse or neglect in violation of this policy may be found to be in violation of an applicable work rule and may be subject to disciplinary action up to and including termination of employment.

Reports Regarding Adults Being Victims of Childhood Abuse or Neglect

Executive Order #54 does not specifically address whether an employee must report information learned about an adult who was the victim of childhood abuse or neglect. Because making such a report may raise issues relating to state and federal law and professional codes of ethics, before making any report involving an adult who was the victim of child abuse or neglect, employees should contact the Chief Human Resources Officer.

Information regarding Contractor Compliance with Policy

All contractual arrangements must require the contractor to supply employees that have passed criminal background checks, if such employees will have regular contact with children.

To the maximum extent feasible, UWRF will include, in all written contracts for the provision of services by independent contractors, an obligation to report incidents of child abuse and neglect. Whenever possible, written contracts shall include the following provision:

If, in the course of providing services to UWRF, contractor (or its agent or employee) observes an incident of child abuse or neglect, or learns of an incident of child abuse or neglect and the contractor (or its agent or employee) has reasonable cause to believe that child abuse or neglect has occurred or will occur, contractor (or its agent or employee) must make a report of that child abuse or neglect to law enforcement or to a county social service agency as provided in UWRF's Policy on Mandatory Reporting of Child Abuse and Neglect. If the suspected child abuse or neglect involves UWRF, the contractor (or its agent or employee) shall also report that abuse to the UWRF Chief Human Resources Officer.

UWRF employees and volunteers will receive training or education on the subject of child abuse and neglect; this training or education may differ depending upon (1) the type and degree of contact the individual may have with children on campus or (2) other training or education regarding mandatory reporting an individual might receive due to his or her profession.

UWRF employees and volunteers will be informed through handbooks, institutional websites, or other appropriate means about:

1. Executive Order #54;
2. Institutional policies and procedures;
3. Contact information for the University Police, local county department of human services and local law enforcement.

UWRF will provide and/or post information in appropriate areas to notify children who to contact if they are a victim of child abuse or neglect.

Any documentation related to a UWRF employee or volunteer report of child abuse or neglect will be stored and maintained in a secure location with the Chief Human Resources Officer.

Reporting Information and Resources

University of Wisconsin River Falls Police – (715) 425-3133

University of Wisconsin-River Falls Chief Human Resources Officer - (715) 425-3502

City of River Falls Police Department – (715) 425-0909

Pierce County Department of Human Services – (715) 273-6766

(715) 273-5051 (after hours)

Wisconsin County Child Protective Services Listing -

<http://dcf.wisconsin.gov/children/cps/cpswimap.HTM>

Authority

The UW-River Falls Chancellor issues this policy in accordance with the Administrative Policy process. The Chief Human Resources Officer is responsible for the administration of this policy. Request an exception to this policy by writing to administrative-policy@uwrf.edu.

Sanctions and Appeals Process

Failure to adhere to the provisions of this policy may result in appropriate disciplinary action as provided under existing procedures applicable to students, faculty, and staff, and/or civil or criminal prosecution.

University Responsibilities

The Office of the Assistant Chancellor of Business and Finance will maintain this policy on the Administrative Policy website, and the Office of Human Resources will share this policy with employees and Reporting Requirements will be included on the checklist for volunteers.

Criminal background checks will be performed pursuant to the background check policies for UWRF, and must be conducted on employees, volunteers, and contractors who have regular contact with children in the course of performing duties or services for UWRF or in connection with a UW-sponsored activity.

Contact

Please direct questions about this policy to administrative-policy@uwrf.edu.