

REPORTING CHILD ABUSE AND NEGLECT

I. Policy Section

14.0 Risk Management

II. Policy Subsection

14.15 Reporting Child Abuse and Neglect

III. Policy Statement

This policy affirms GRCC's commitment to the safety and welfare of children by providing guidance to employees and students regarding Michigan laws governing the reporting of suspected child abuse and child neglect.

IV. Reason for the Policy

To comply with mandatory child abuse and neglect reporting requirements of the Michigan Child Protection Law, 1975 PA 238, MCL 722.621 et. seq.

V. Entities Affected by this Policy

All Employees
Students
Community Members as guests of the College
Board of Trustees

VI. Who Should Read this Policy

All Employees
Students
Board of Trustees
Public

VII. Related Documents

Mandated Reporter's Resource Guide
http://www.michigan.gov/documents/dhs/Pub-112_179456_7.pdf

VIII. Contacts

Policy Owner: General Counsel

IX. Definitions

- A. **Mandated reporters:** Mandated reporters are people who are always required to report suspected child abuse and neglect to the Department of Human Services (DHS). Mandated Reporters include but are not limited to: nurse, person licensed to provide emergency medical care, audiologist, psychologist, licensed professional counselor, social worker, licensed master's social worker, licensed bachelor's social worker, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, regulated child care provider.
- B. **Abuse:** The physical or mental injury of a child by a person who has permanent or temporary care or custody of the child, or by any household or family member, under circumstances indicating that the child's health or welfare is harmed or at substantial risk of being harmed; or sexual abuse if a child, whether physical injuries are sustained or not, defined as any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for the supervision of a child, or by any household or family member.
- C. **Physical abuse:** Harm or threatened harm to a child through non-accidental injury.
1. Examples of physical abuse include beating, kicking, punching, and burning.
 2. Common indicators of physical abuse:
 - a. Questionable, recurring bruises and/or welts on various parts of the body or in various stages of healing
 - b. Bruises or welts in the shape of an object (electric cord, belt)
 - c. Bite marks
 - d. Bald spots, missing clumps of hair
 - e. Cigarette or cigar burns
 - f. Burns in the shape of an object (iron, stove burner)
 - g. Immersion burns (legs, hands, buttocks)
 - h. Questionable, multiple, or recurring fractures
- D. **Sexual abuse and sexual exploitation:** Engaging in sexual contact or sexual penetration with a child (as defined in the criminal code)

constitutes sexual abuse. Sexual exploitation is defined as allowing, permitting, or encouraging a child to engage in prostitution or to be depicted in a sexual act (as defined in the penal code).

1. Common indicators of sexual abuse and sexual exploitation
 - a. Age-inappropriate knowledge of sexual behavior
 - b. Sexually explicit drawings and behavior
 - c. Unexplained fear of a person or place
 - d. Unexplained itching, pain, bruising or bleeding in the genital area
 - e. Age-inappropriate seductive behavior
 - f. Pregnancy 12 years or under
 - g. Venereal disease, frequent urinary or yeast infections

E. **Neglect:** The failure to give proper care and attention to a child, including leaving the child unattended, by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances indicating:

1. That the child's health or welfare is harmed or placed at substantial risk of harm; or
2. Mental injury to the child or a substantial risk of mental injury
3. Failure to provide adequate food, shelter, clothing, or medical care
4. The failure to protect a child from a known or potential risk of harm is also considered neglect.
5. Common indicators of neglect:
 - a. Persistent hunger
 - b. Stealing or hoarding food
 - c. Abrupt, dramatic weight change
 - d. Persistent poor hygiene
 - e. Recurring medical issues untreated
 - f. Ongoing lack of supervision
 - g. Consistently inappropriate dress
 - h. Excessive school absences

F. **Mental injury:** The observable, identifiable, and substantial impairment of a child's mental or psychological ability to function.

G. **Maltreatment:** Treatment that involves cruelty or suffering that a reasonable person would recognize as excessive. Examples include forcing a child to eat dog food as punishment, locking a child in a closet, or teaching a child to assist in criminal activities.

H. **Child:** Any individual under the age of 18 years.

X. Procedures

A. **The legal standard for reporting/mandated reporters:** Michigan law requires that mandated reporters must file a report when there is reasonable cause to suspect abuse or neglect. Reporters are not required to determine whether abuse or neglect has actually occurred. The Department of Human Services is responsible for investigating reports of abuse and neglect. You must make a report whenever you suspect that abuse or neglect may have occurred.

B. **Reporting requirements for all other persons:** Members of the GRCC community other than a mandated reporter including other staff, students and contractors on campus, are also required to report suspected child abuse or neglect.

C. **Liability for failure to report:** Any employee who fails to report suspected child abuse or neglect in violation of this policy may be subject to discipline for professional misconduct, up to and including termination.

For mandated reporters: If you fail to file a report of suspected abuse or neglect, mandated reporters will be subject to both civil and criminal liability. If you are a mandated reporter, you may be held liable in a civil action for all damages that any person suffers due to your failure to file a report. In a criminal action, you may be found guilty of a misdemeanor punishable by imprisonment for up to 93 days and a fine of \$500. Notifying your supervisor or other agency administrator DOES NOT satisfy your legal obligation to file a report with DHS.

D. **Good faith:** You will not be “punished” for filing a report when a report is filed in good faith. You cannot be held liable to any person for any damages they may suffer. You are also immune from any criminal liability that could otherwise result. When you file a report, you are presumed to have acted in good faith. An aggrieved person would have the burden of proving that you made a report for some reason unrelated to the well-being of the child who was the subject of your

report. An aggrieved person could never meet this burden if you filed a report due to your concern for a child's well-being.

E. Reporting requirements:

1. Oral Report: An employee who has reasonable cause to suspect child abuse or neglect must immediately make, by telephone or otherwise, an oral report of the suspected child abuse or neglect to the Department of Human Services. Report abuse and neglect at 1-855-444-3911. <http://www.michigan.gov/dhs/0,4562,7-124-7119---,00.html>
2. The report shall include the following information, to the extent that it is known by the employee:
 - a. The name, age, and home address of the child;
 - b. The name and home address of the parent or other person responsible for the care of the child;
 - c. The child's whereabouts;
 - d. The nature and extent of the suspected abuse or neglect, including any information regarding possible previous instances of abuse or neglect; and
 - e. Any other information that may help to identify the person responsible for the abuse or neglect or determine the cause.
 - 1) Written Report: Within 72 hours after making the oral report, the reporting person must file a written report.
 - 2) Notification to GRCC: The reporting person must notify the President of the College or designee that a report has been made, and must make a copy of the written report available.

F. Cooperation with other Agencies: The College shall cooperate fully and appropriately with any investigation of suspected child abuse or neglect by a local department or social services or law enforcement agency. If the individual suspected of child abuse or neglect is an employee, student, or contractor of the College, the College shall coordinate its own investigation or other activities in response to a report with the appropriate local agency.

XI. Forms

Report of Actual or Suspected Child Abuse or Neglect
www.michigan.gov/documents/mdhhs/DHS-3200_524482_7.dot

XII. Effective Date

October 16, 2012

XIII. Policy History

New Policy - October, 2012

No revisions made - December, 2016

XIV. Next Review/Revision Date

October, 2020