



5635 A

Procedures: Reporting Maltreatment of Children or Vulnerable Adults

Regulation 5635 A

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I. PURPOSE

The purpose of this regulation is to establish the procedures employees must follow in making reports required under law of suspected maltreatment of children or vulnerable adults who are students in the Minneapolis Public Schools; to give guidance on the procedures involved in investigation of allegations; and the records maintenance requirements for allegations of abuse or potential abuse.

II. RESPONSIBILITIES OF EMPLOYEES

- A. In the event that physical injury to the child or vulnerable adult is apparent, the employee shall follow general procedures to protect the child or vulnerable adult, depending on the circumstances and severity of the injury, including but not limited to
1. obtaining the assistance of school health staff;
 2. calling, or ordering a call to 911 emergency services;
 3. providing immediate first aid until other responders arrive and the employee is released from further assistance;
 4. notifying the parent or guardian that emergency services have been requested;
 5. accompanying, or arranging for accompaniment for, the student or vulnerable adult to the hospital unless the parent is present at the time of transport.
- B. An employee should make a report if circumstances or information received leads the employee in good faith to suspect or believe that maltreatment has occurred.

III. REPORT PROCEDURES

- A. *When the suspected abuse or neglect has occurred due to the actions or inaction of someone other than an employee or other personnel of the District.*
1. Employees who suspect or who have reason to believe that maltreatment of children or vulnerable adults who are students in Minneapolis Public Schools has taken place should immediately call the Hennepin County Child Protection Intake division if a child, and Hennepin County Adult Protection Intake if over eighteen and a vulnerable adult, and relay the following information:
 - a. the identity of the child or vulnerable adult;
 - b. the identity of any person believed to be responsible for the maltreatment if known;
 - c. the nature and extent of the maltreatment;
 - d. the reporter's name and address;
 - e. the reporter's affiliation with the Minneapolis Public Schools including position title and District school or other location.



2. Within 72 hours the reporter shall fax a written report of the suspected maltreatment to Hennepin County Child Protection.
 3. Any copy of the report kept by the reporter shall be placed in a personal file of the reporter unless directed to place the report in the child's or vulnerable adult's social work file by the District Social Work Office or the District Office of the General Counsel.
 4. If the suspected or known behavior is a crime the reporter should also make a report to the Minneapolis Police Department, and may be directed to do by the Hennepin County Child Protection Department.
- B. When the suspected abuse or neglect has occurred due to the actions or inaction of an employee or other personnel of the District.
1. Employees who suspect or who have reason to believe that maltreatment of children or vulnerable adults who are students in Minneapolis Public Schools has taken place should
 - a. immediately:
 - (1) inform the school principal or site administrator of the reasons to believe or suspicions that maltreatment has taken place;
 - (2) make or ensure that a telephone report to the Minnesota Department of Education; and/ or
 - (3) fax a report or ensure that a fax report has been sent to the Minnesota Department of Education on their prescribed form. This form is available on the district website.
 - b. within 72 hours (exclusive of weekends and holidays) of making a report:
 - (1) fax a copy of the report form or ensure that a copy of the report form has been faxed to the District employee relations department
 - (2) fax a copy of the report or ensure that a copy of the report has been faxed to the District Office of the General Counsel.
 - c. in the event that the student is eighteen years of age or older, the reporter should also make a report or ensure that a report has been made to the Hennepin County Department of Adult Protection.
 2. In the event that the suspected perpetrator of the alleged maltreatment is the school principal, site administrator or department head, the reporter shall inform the appropriate Superintendent and make or ensure that the reporting actions have been taken.
 3. Any copy of the report kept by the reporter shall be placed in a personal file of the reporter unless directed to place the report in the child's or vulnerable adult's social



work file by the District Social Work Office or the District Office of the General Counsel.

- C. Employees who know or who have reason to believe that a kidnapping of a child or a deprivation of parental rights has occurred with regard to a child shall report that information to the Minneapolis Police Department and to the school's school resource officer immediately.

IV. RESPONSIBILITIES OF PRINCIPALS, SITE ADMINISTRATORS AND DEPARTMENT HEADS

- A. When a principal, site administrator or department head receives information that a report of suspected maltreatment of a child or a vulnerable adult by an employee under their supervision has been made, she/he shall
1. establish that all reporting requirements of Section III.B. have been completed, or direct that they are completed;
 2. consult with the District Office of the General Counsel to determine what, if any, actions should be taken to assure the safety of the child;
 3. assure that the child or vulnerable adult is not in the care of the employee or other personnel of the District suspected of maltreatment.
 4. notify the parent or guardian of the child or vulnerable adult that an incident has occurred;
 5. notify the appropriate Superintendent that such a report has been made, and what actions have been taken;
 6. consult with Employee Relations Department and the Office of the District General Counsel regarding actions, if any, to take with respect to the suspected perpetrator;
 7. consult with the District Safety and Security Department regarding assuring safety to the school;
 8. determine whether or not the alleged acts constitute a violation of the District policy prohibiting Harassment and Violence, and if found that it does shall also follow the procedures required in that policy.
- B. Under no circumstances shall a principal, site administrator or department head dissuade or attempt to dissuade a person required to make a report from doing so.
- C. Unless the principal, site administrator or department head is absent from the premises, the duties above shall not be delegated to another.

V. INVESTIGATION

- A. *When the suspected maltreatment has occurred due to the actions or inaction of someone other than an employee or other personnel of the District.*



1. The responsibility for investigating reports of suspected neglect or physical or sexual abuse of a child or maltreatment of a vulnerable adult rests with the Hennepin County Child and Vulnerable Adult Protection Services. The investigating authority may
 - a. interview the child or vulnerable adult at school or elsewhere, at their discretion as to location and permissible presence of any District representative at the interview;
 - (1) if the interview is to take place at a District school, written notice of the intent to interview shall be given to the principal, site administrator or her/his designee prior to the interview.
 - (2) the principal, site administrator or her/his designee may determine the following with regard to the interview taking place at the school:
 - (a) the time, as long as the interview may be conducted as soon as practicable but in no cases longer than 24 hours (excluding weekends and holidays) after the notification of the intent to interview unless a later time is deemed necessary by agreement between the principal, site administrator, her/his designee and the agency conducting the interview;
 - (b) the place within the school or site for the interview;
 - (c) what manner, time and place of the interview will cause the least disruption of the educational program of the child, vulnerable adult, other students or school employees.
 - b. interview any person responsible for the care of the child or the vulnerable adult;
 - c. interview the alleged perpetrator; and
 - d. interview any person believed to have knowledge of the maltreatment.
 2. The principal, site administrator or her/his designee, or any employee or other personnel of the District, shall not inform the parent or guardian of the child or vulnerable adult of any notification that an interview of the child or vulnerable adult shall be conducted at the school unless or until the investigating authority has notified the District in writing that the investigation or assessment has been concluded.
- B. When the suspected maltreatment has occurred due to the actions or inactions of an employee or other personnel of the District.**
1. The District shall conduct its own investigation, in addition to any investigation of the report by the Hennepin County Offices responsible, or the Minnesota Department of Education.



- a. Initial investigation of reports shall be conducted by the principal or site administrator working in consultation with the District Employee Relations Department and the Office of the General Counsel.
 - (1) The principal or site administrator shall not delegate the investigation at the school site to any person.
 - (2) In the event that the principal or site administrator is absent from the site, the associate superintendent or her/his designee shall conduct the investigation.
 - b. Investigation may include interviewing the alleged victim of maltreatment, or any student, employee or other personnel of the District that the investigator believes may have information regarding the suspected maltreatment.
2. The District shall provide to the Minnesota Department of Education all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in the school.
 - a. Any data released to the Minnesota Department of Education shall be provided in accordance with the requirements of the Minnesota Government Practices Act and the federal Family Educational Rights and Privacy Act.
 - b. Where practicable data released to the Minnesota Department of Education shall be provided on the official form or in the official format established by the investigating authority.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

- A. Any notification that a potentially abused or maltreated child or vulnerable adult will be interviewed on District Property is confidential data, and may not be divulged by the District unless and until notified in writing by the investigating authority that the investigation has been concluded.
- B. The notification identified in Paragraphs V.A.1.a.(1) and VI.A above, shall be kept and maintained by the District unless and until destruction is ordered in writing by the investigating agency or by a court of competent jurisdiction.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 609.25 (Kidnapping)
Minn. Stat. § 609.26 (Depriving Another of Custodial or Parental Rights)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.558 *et seq.* (Reporting of Maltreatment of Vulnerable Adults)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)



Cross References:

MPS Policy 1040 (Student and Staff Data Protection)

MPS Policy 4002 (Harassment and Violence Prohibition)

MPS Policy 5635 (Reporting Maltreatment of Minors and Vulnerable Adults)

MPS Policy 6682 (Emergency Health Care)

MPS Regulation 5635 B (Definitions: Reporting Maltreatment of Minors and Vulnerable Adults)

MPS Regulation 6682 A (Staff Responsibilities for Student Medical Transport)