



POLICY ON THE REPORTING OF SUSPECTED CHILD ABUSE AND NEGLECT

I. BACKGROUND

The University of Wisconsin-Green Bay prioritizes safety and strives to continue to provide a safe learning environment for everyone. Children come into contact with UW-Green Bay employees through various programs, camps and events. This policy is designed to implement Executive Order 54, signed by Governor Walker on 12/19/2011, which requires all UW-Green Bay employees to report incidents of child abuse and neglect. In addition, this policy extends that obligation to volunteers and contractors performing services for UW-Green Bay.

II. RESPONSIBILITIES OF THE INSTITUTION

UW-Green Bay takes the following actions to implement this policy and support compliance with requirements of Executive Order 54:

A. Chancellor's Designee

The Chancellor designates the UW-Green Bay Office of Public Safety, and the Department's Chief of Police as the person or persons to receive oral and written reports of suspected child abuse or neglect from employees, students, and others at the institution.

B. Education

The University has established a complete program for the education of its community with respect to the meaning and implementation of this policy. Required training will be made available on a regular basis. This training or education may differ depending on the type or degree of contact the individual may have with children on campus or other training or education regarding mandatory reporting an individual might receive due to his or her profession.

C. Cooperation with Other Agencies

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

D. Disciplinary Action

UW-Green Bay shall ensure that its own policies and procedures for addressing alleged employee misconduct include provisions and measures to respond swiftly and appropriately to reports of suspected child abuse and neglect.

E. Reports

The Chancellor shall inform the President of the UW-System of any serious incident arising under this policy, consistent with the confidentiality requirements of federal and state law.

III. 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. 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 UW-Green Bay employee.

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.

IV. REPORTING REQUIREMENTS

- A. UW-Green Bay employees must make an immediate report of child abuse or neglect if, in the course of employment, a UW-Green Bay 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. The requirement to report child abuse or neglect applies whether the child abuse occurred on or off University property or whether or not it involves a University employee, student, agent, volunteer or contractor.
- B. This policy establishes the requirements that volunteers and contractors performing services for UW-Green Bay abide by the same reporting obligations as employees (as stated in section IV.A above) to the maximum extent feasible.
- C. A report must be made personally or by telephone to one of the following agencies:



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- a. UW-Green Bay Office of Public Safety, room IS 1024 or (920) 465-2300
 - b. Brown County Sheriff's Department, (920) 391-7450
 - c. Green Bay Police Department, (920) 448-3200
 - d. Brown County Human Services Department, (920) 448-6000
- D. Executive Order #54 does not specifically address whether or not 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 Office of Public Safety at (920) 465-2300.
- E. Child abuse or neglect involving UW-Green Bay includes
1. An allegation against a UW-Green Bay employee, student, agent, volunteer, or contractor, or
 2. The suspected child abuse or neglect occurred in or at UW-Green Bay facilities or on UW-Green Bay land, or
 3. The suspected child abuse or neglect occurred during or in connection with a UW-Green Bay sponsored activity.
- F. A UW-Green Bay employee who is a mandatory reporter by profession under Wis. Stat. § 48.981(2) must continue to comply with the state mandatory reporter law requirements. In addition to following Wis. Stat. § 48.981(2), UW-Green Bay employees shall also make a report personally or by telephone to the UW-Green Bay Office of Public Safety, informing Public Safety of the concerns that were reported and to whom (agency and name).
- G. Questions regarding the applicability of these requirements to a particular individual or situation may be directed to the Office of General Counsel at (608) 262-2995, Human Resources at (920) 465-2390 or the Special Assistant to the Chancellor at (920) 465-2067.
- H. Reporting Requirements for UW-Green Bay Office of Public Safety
The UW-Green Bay Office of Public Safety may cooperate in the investigation of the report with an appropriate outside law enforcement agency and shall provide a written report to the local department of social services no later than 12 hours of receiving a child abuse or neglect report from an employee.
1. The report shall include the following information, to the extent that it is known by the employee and the UW-Green Bay Office of Public Safety:
 - 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.
 2. A copy of the written report also shall be provided to the Chancellor.



V. POLICY IMPLICATIONS AND CONSEQUENCES

A. Immunity

Under Wisconsin State law any individual who in good faith makes or participates in making a report under the law shall be immune from any civil liability or criminal prosecution. In addition, no UW-Green Bay employee making a good faith report of child abuse or neglect 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.

B. Failure to Report

Any employee of UW-Green Bay 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 of the employee's employment with or appointment to the University of Wisconsin-Green Bay.

C. Confidentiality

The confidentiality of a report of suspected child abuse or neglect, including the identity of an individual who makes a report under this policy, the individual suspected of abuse or neglect, and the child who may have been abused or neglected, will be protected consistent with relevant federal and state laws.

VI. RESPONSIBILITIES OF UW-GREEN BAY

- A. Criminal background checks will be performed pursuant to the background check policies for UW-Green Bay, and must be conducted on employees, volunteers, and contractors who have regular contact with children in the course of performing duties or services for UW-Green Bay or in connection with a UW-Green Bay sponsored activity.
- B. All contractual arrangements must require that the contractor supplies employees that have passed criminal background checks, if such employees will have regular contact with children.
- C. To the maximum extent feasible, UW-Green Bay 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 UW-Green Bay, 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 UW-Green Bay's Office of Public Safety as provided in UW-Green Bay's Policy on the Reporting of Suspected Child Abuse and Neglect.

VII. IMPLEMENTATION

Access to a copy of this policy shall be provided to employees of UW-Green Bay within one week of the Chancellor's approval of the policy.

Approved: 09/12/2012