

Mandatory Reporting

Mandatory Reporting of Suspected Child Abuse

St. Luke's College strives to protect the welfare of minors on its campus. This includes minors who are on campus or participating in off-campus college-sponsored programs. Any uncertainty about whether reporting is required should be resolved in favor of making a report.

In compliance with Iowa Code 260C.14, this policy requires all St. Luke's College employees who, in the scope of their employment responsibilities, examine, attend, counsel, or treat a child, to report suspected physical or sexual abuse.

In compliance with Iowa Code 232.69, Mandatory Reporters are required to make a report of all suspected incidents of child abuse.

Employees designated as Mandatory Reporters include, but are not limited to, administration, instructors, staff, and students and any employees who in the scope of their employment responsibilities, examine, attend, counsel, or treat a child and reasonably believe a child has suffered abuse.

Definitions

The definitions below are based on the Iowa Department of Human Services (DHS).

- **Examine:** To observe, test, or investigate (a body or any part of it), in order to evaluate general health or determine a medical condition.
- **Attend:** To care for; to look after; to take charge of; to watch over .
- **Counsel:** To advise or instruct.
- **Treat:** To deal with (a medical condition, patient, etc) in order to relieve or cure
- **Child/Minor:** Any person under the age of 18 years
- **Suspected:** To believe to be the case or to be likely or probable
- **Physical abuse:** Defined as any non-accidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child. Common indicators could include unusual or unexplained burns, bruises, or fractures. Behavioral indicators include behaviors such as, extreme aggression, withdrawal, seductive behaviors; being uncomfortable with physical contact or closeness.
- **Sexual abuse:** Defined as the commission of a sexual offense with or to a child as a result of the acts or omissions of the person responsible for the care of the child. The commission of a sexual offense includes any sexual offense with or to a person under the age of 18 years. Physical indicators of sexual abuse could include things such as bruised or bleeding genitalia, venereal disease, or even pregnancy. Behavior indicators of sexual abuse could include things such as excessive knowledge of sexual matters beyond their normal developmental age or seductiveness also may be present.

Mandatory Reporters

Training

Effective January 1, 2010, all employees and students are considered mandatory reporters and must complete two (2) hours of training related to identification of child abuse within 90 days of initial employment and thereafter at least every five years in accordance with State laws for mandatory reporters. This training includes:

- Prevention, intervention, and detection
- Services provided through the Employee Assistance Program and Wellness Center
- The elements of abuse and neglect
- Procedure for reporting possible abuse to the DHS or IDIA
- Legally and ethically appropriate behavior as defined by St Luke's Regional Medical Center policies

Training records shall be maintained in NetLearning

Abuse to be reported

1. All employees who in the scope of their employment responsibilities, examine, attend, counsel or treat a child are required to report suspected physical or sexual abuse in accordance to Section C below.
2. Mandatory Reporters are required to report all forms of "child abuse" or "abuse" under the law to the Department of Human Services as described in Section C below
3. "Child abuse" or "abuse" is defined in Iowa Code 232.68(2) to mean:
 - Any non-accidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child
 - Any mental injury to a child's intellectual or psychological capacity as evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior as the result of the acts or omissions of a person responsible for the care of the child, if the impairment is diagnosed and confirmed by a licensed physician or qualified mental health professional as defined in section 622.10
 - The commission of a sexual offense with or to a child pursuant to chapter 709, section 762.2, or section 728.12, subsection 1, as a result of the acts or omissions of the person responsible for the care of the child. Notwithstanding section 702.5, the commission of a sexual offense under this paragraph with or to a person under the age of eighteen years.
 - The failure on the part of a person responsible for the care of a child to provide for the adequate food, shelter, clothing, medical or mental health treatment, supervision, or other care necessary for the child's health and welfare when financially able to do so or when offered financial or other reasonable means to do so.
 - The failure to provide for the adequate supervision of a child means the person failed to provide proper supervision of a child that a reasonable and prudent person would exercise under similar facts and circumstances and the failure resulted in direct harm or created a risk of harm to the child.
 - A parent or guardian legitimately practicing religious beliefs who does not provide specified medical treatment for a child for that reason alone shall not be considered abusing the child; however, this provision shall not preclude a court from ordering that medical service be provided to the child where the child's health requires it.

- The acts or omissions of a person responsible for the care of a child which allow, permit, or encourage the child to engage in acts prohibited pursuant to section 725.1. Notwithstanding section 702.5, acts or omissions under this paragraph include an act or omission referred to in this paragraph with or to a person under the age of eighteen years.
- An illegal drug is present in a child's body as a direct and foreseeable consequence of the acts or omissions of the person responsible for the care of the child.
- The person responsible for the care of a child has, in the presence of the child, as defined in section 232.2, subsection 6, paragraph "p", or in the presence of the child possesses a product containing ephedrine, its salts, optical isomers, salts of optical isomers, or pseudoephedrine, with the intent to use the product as a precursor or an intermediary to a dangerous substance.
- The commission of bestiality in the presence of a minor under section 717C.1 by a person who resides in a home with a child, as a result of the acts or omissions of a person responsible for the care of the child.
- Knowingly allowing a person custody or control of, or unsupervised access to a child or minor, after knowing the person is required to register or is on the sex offender registry under chapter 692A for a violation of section 726.6.
- The person responsible for the care of the child has knowingly allowed the child access to obscene materials or exhibited to such material to the child.

Child abuse" or "abuse" shall not be construed to hold a victim responsible for failing to prevent a crime against the victim."

Procedures for Reporting

1. To the extent known, reporters are expected to provide truthfully and in good faith the following information
 - Name of person engaged in misconduct;
 - Name of alleged victims;
 - Time and date;
 - Location; and
 - Information and evidence supporting the allegation that misconduct has occurred.
2. All employees who in the scope of their employment responsibilities, examine, attend, counsel or treat a child must report physical or sexual child abuse as indicated in 3 below when they see, know about, or reasonably suspect the physical or sexual abuse of a child. Proof that abuse has occurred is not required in order to be obligated to report
3. Suspected abuse shall be reported to St. Luke's College administration within 24 hours. The suspected abuse shall also be reported to local law enforcement and campus security within 24 hours.
4. If there is a reason to believe that immediate protection for the child is advisable, an oral report shall be made immediately to the appropriate law enforcement agency
5. In compliance with Iowa Code 232.70, each report made by a Mandatory Reporter shall also be made as follows:
 - An oral report shall be made within 24 hours by telephone to the Department of Human Services through the Child Abuse Hotline at 1-800-362-2178
 - A written report shall be made to the Department of Human Services within 48 hours of submitting the oral report.

Retaliatory action against an employee for participation in making a good faith report of child abuse or aiding and assisting in an assessment of a child abuse report is prohibited. UnityPoint Health-St. Luke's will not penalize or take adverse action against a mandatory reporter because the person made a report of child abuse or other violation of this policy. Any Mandatory Reporter who believes he or she has been penalized or harassed for making a report of child abuse or was prevented from making such a report shall report such harassment or penalty to Chief Compliance Officer or Compliance Officer, who shall have the duty and responsibility to conduct a prompt investigation into the matter to determine whether discipline of the individual alleged to have penalized or harassed the Mandatory Reporter is warranted.