

UNIVERSITY OF ST. THOMAS

POLICY ON REPORTING SUSPECTED CHILD ABUSE

SECTION I. PURPOSE, SCOPE AND APPLICATION

The University of St. Thomas (“UST”) has zero tolerance for child abuse. The purpose of this policy is to ensure prompt reporting of known or suspected child abuse to both UST and law enforcement authorities. For the purposes of this policy, a *child* is an individual under the age of 18.

This policy applies to UST students (whether full- or part-time, non-degree or degree seeking, or pursuing undergraduate, graduate or professional studies) and to UST Required Reporters. The following individuals are considered *UST Required Reporters*:

- all UST employees, whether full-time or part-time staff, faculty, clergy, members of a collective bargaining unit, adjunct faculty or temporary staff (student workers are not UST Required Reporters unless they work with children);
- all students who work with children at UST or through a course, event, program or activity that is sponsored by, affiliated with, or arranged by UST;
- all members of the UST Board of Trustees; and
- all persons volunteering at or for UST.

Other individuals or organizations engaging in or conducting activities on behalf of UST or doing business at or with UST also are required to comply with the provisions of this policy, as determined and communicated to such other parties by UST.

SECTION II. REQUIRED REPORTING OF CHILD ABUSE AND NEGLECT

One of the most effective ways to protect children from abuse and neglect is for community members who are aware of abuse to report it. Minnesota law protects good faith reports of child abuse and neglect to law enforcement by any individual, and many UST Required Reporters are considered mandatory reporters of child abuse under Minnesota law.

UST requires reporting of child abuse and neglect as set forth below.

A. UST REQUIRED REPORTERS MUST REPORT SUSPECTED CHILD ABUSE AND NEGLECT TO LAW ENFORCEMENT

1. **Who Must Make Reports to Law Enforcement?** To ensure that known or suspected child abuse is properly reported, UST requires all UST Required Reporters to report suspected child abuse and neglect to law enforcement authorities.

Students who are not UST Required Reporters are encouraged, but are not required by this policy, to make a report of child abuse or neglect to law enforcement authorities. However, if a student meets the definition of a mandatory reporter under state law, they are required by law to make a report.

2. **What Must Be Reported?** A UST Required Reporter must make a report to law enforcement authorities if he or she knows or has reason to believe that a child (1) is being neglected or physically or sexually abused or (2) has been neglected or physically or sexually abused within the preceding three (3) years.
3. **Who Do I Call?** Reports must be made to the police, the county sheriff, or the local child protection services agency.

Contact	Phone
<i>Emergencies/Immediate Danger</i>	
On Campus – St. Paul and Minneapolis	(651) 962-5555 <i>Public Safety will call 911 and direct officers to appropriate campus location</i>
Off Campus – St. Paul and Minneapolis	911
Rome	113
<i>Non-Emergency Reporting</i>	
Ramsey County Child Protection Services	(651) 266-4500 (651) 291-6795 (After regular hours)
Hennepin County Child Protection Services	(612) 348-3552
St. Paul Police (non-emergency)	(651) 291-1111
Minneapolis Police (non-emergency)	(612) 348-2345
U.S. Embassy in Rome	06 46741

4. **When Must I Report?** Immediately. Oral reports must be made as soon as possible and in no event later than 24 hours after you become aware of the known or suspected abuse. Mandatory reporters of child abuse under the law must follow up with a written report within 72 hours (not including weekends and holidays).

In the event of a conflict between this policy and the Minnesota Rules of Professional Conduct for attorneys or other applicable professional ethical rules, UST Required Reporters are expected to follow the applicable professional ethical rules and their mandatory reporter obligations under Minnesota law.

B. STUDENTS AND UST REQUIRED REPORTERS MUST REPORT SUSPECTED CHILD ABUSE AND NEGLECT TO UST PUBLIC SAFETY

In addition to making reports to law enforcement, all UST Required Reporters and all students are required to make an immediate report to Public Safety if: (1) the UST Required Reporter or student knows or has reason to believe that a child is being or has been neglected or physically or sexually abused, and (2) the neglect or abuse meets any one of the following criteria:

- it was committed by a UST faculty member, staff member, student, trustee or volunteer;
- it occurred on UST's campus;
- it occurred in the vicinity of UST's campus;
- it occurred off campus, but in connection with a UST course, event, program or activity (other than a field practicum or student teaching setting*);
- it occurred in a space leased by UST; or
- it is otherwise connected to UST in any way.

* Students working in field practicum or student teaching settings who suspect neglect or abuse occurring at their placement site must follow professional and legal guidance for mandated reporting and make a report to their faculty supervisor, rather than Public Safety.

As stated in Part A, in the event of a conflict between this policy and applicable professional ethical rules, such as the Minnesota Board of Psychology Rules of Conduct, the Minnesota Board of Social Work Practice statutes, or the Minnesota Rules of Professional Conduct for attorneys, UST Required Reporters and students are expected to follow the applicable professional ethical rules and their mandatory reporter obligations under Minnesota law.

When it receives a report, UST Public Safety will alert the Office of General Counsel of the report, in addition to taking any appropriate responsive action.

Reports to Public Safety are required if the abuse or neglect occurred anytime within the preceding three years. If child abuse is alleged to have occurred more than three years ago, students and UST Required Reporters must contact the Office of General Counsel.

SECTION III. REPORTS OF CHILD PORNOGRAPHY REQUIRED

Possession of child pornography is a crime for which UST has zero tolerance. Any UST Required Reporter and any student who suspects that any person is in possession of or accessing child pornography on or near campus, in space leased by UST, in connection with any UST course, event, program or activity, or by using UST property (including, but not limited to, computers, servers, phones or other resources) must immediately report such concerns to Public Safety. Students and UST Required Reporters also must notify Public Safety if they have reason to believe that a UST student or a UST Required Reporter is accessing or possesses child pornography in any other location. Public Safety will alert law enforcement and oversee UST's cooperation with the law enforcement investigation.

SECTION IV. QUESTIONS ABOUT REPORTING OBLIGATIONS ENCOURAGED

UST will seek to fully support individuals who may need to make a report under this policy. If you have questions about whether a report to law enforcement or Public Safety is required, contact Human Resources, the Dean of Students, or the Office of General Counsel. UST Required Reporters and students also may call the local child protection services office and inquire about whether a report should be made to law enforcement.

Frequently Asked Questions accompany this policy and contain additional information to help UST Required Reporters and students understand legally mandated reporting requirements and protections for individuals who report child abuse or neglect to law enforcement.

SECTION V. NO RETALIATION

UST strictly prohibits retaliation against any person who makes a good faith report under this policy or who participates in an investigation related to a report made under this policy. UST will take steps to prevent retaliation and will take strong responsive action if retaliation occurs. Any conduct by a student or UST Required Reporter that constitutes retaliation or reprisal is subject to disciplinary action, up to and including dismissal, expulsion and prohibition from campus.

Any person who feels he or she has been retaliated against for making a report under this policy or for participating in an investigation should contact Human Resources or the Dean of Students.

UST may impose sanctions if it determines that an individual knowingly and in bad faith made a false report under this policy, knowingly provided false information, or intentionally misled a UST representative or law enforcement during an investigation.

SECTION VI. VIOLATIONS

Any student or UST Required Reporter who violates this policy will be subject to discipline, up to and including expulsion from UST for students or termination of employment for faculty and staff. Discipline will be administered in accordance with any applicable student, faculty or staff handbook.

FREQUENTLY ASKED QUESTIONS (FAQS)

**UNIVERSITY OF ST. THOMAS
REPORTING SUSPECTED CHILD ABUSE POLICY**

1. Who is required to make reports of known or suspected child abuse or neglect?

Required Reports to Law Enforcement. Under UST's policy, "UST Required Reporters" are required to report known or suspected child abuse or neglect to law enforcement. UST Required Reporters include:

- all UST employees, whether full-time or part-time staff, faculty, clergy, members of a collective bargaining unit, adjunct faculty or temporary staff (student workers are not UST Required Reporters unless they work with children);
- all students who work with children at UST or through a UST-related course, event, program or activity;
- all members of the UST Board of Trustees; and
- all persons volunteering at or for UST.

Required Reports to UST Public Safety. All students and all UST Required Reporters are required to make a report to Public Safety.

2. What triggers an obligation to report child abuse or neglect?

Required Reports to Law Enforcement. Under UST's policy, a UST Required Reporter must make a report to law enforcement if he or she knows or has reason to believe that a child (1) is being neglected or physically or sexually abused or (2) has been neglected or physically or sexually abused within the preceding three (3) years. This requirement is consistent with the obligation of mandatory reporters under Minnesota law.

Required Reports to UST Public Safety. UST Required Reporters and students must make a report to UST Public Safety if (1) the UST Required Reporter or student knows or has reason to believe that a child is being or has been neglected or physically or sexually abused, and (2) the neglect or abuse meets any one of the following criteria:

- it was committed by a UST faculty member, staff member, student, trustee or volunteer;
- it occurred on UST's campus;
- it occurred in the vicinity of UST's campus;
- it occurred off campus in connection with a UST course, event, program or activity (other than a field practicum or student teaching setting*);
- it occurred in a space leased by UST; or
- it is otherwise connected to UST in any way.

* Students working in field practicum or student teaching settings who suspect neglect or abuse occurring at their placement site must follow professional and legal guidance for mandated reporting and make a report to their faculty supervisor, rather than Public Safety.

3. Who do I make the report to?

Required Reports to Law Enforcement. UST Required Reporters must make reports of child abuse or neglect to the police, the county sheriff, or the local child protection services agency.

Required Reports to UST Public Safety. If suspected abuse or neglect is connected to UST in any way (that is, it was committed by a UST Required Reporter or a student, occurred on or near campus or in space leased by UST, occurred in connection with a UST course, event, program or activity, or the UST Required Reporter or student believes there is another connection to UST), UST Required Reporters and students must contact Public Safety.

Contact Information for law enforcement and Public Safety is below.

Contact	Phone
<i>Emergencies/Immediate Danger</i>	
On Campus – St. Paul and Minneapolis	(651) 962-5555 <i>Public Safety will call 911 and direct officers to appropriate campus location</i>
Off Campus – St. Paul and Minneapolis	911
Rome	113
<i>Law Enforcement Non-Emergency Reporting</i>	
Ramsey County Child Protection Services	(651) 266-4500 (651) 291-6795 (After regular hours)
Hennepin County Child Protection Services	(612) 348-3552
St. Paul Police (non-emergency)	(651) 291-1111
Minneapolis Police (non-emergency)	(612) 348-2345
U.S. Embassy in Rome	06 46741
UST Public Safety	
UST Public Safety (emergency)	(651) 962-5555
Public Safety (non-emergency)	(651) 962-5100

4. What are the definitions of “physical abuse,” “sexual abuse” and “neglect”?

The term “physical abuse,” “sexual abuse” and “neglect” are specifically defined by [Minnesota’s mandatory reporter law](#). The definitions are technical. For that reason, if you are unsure if conduct constitutes abuse or neglect, call the applicable child protection services agency and ask. You may also consult with UST Human Resources, the Dean of Students or the Office of General Counsel.

The [Minnesota Department of Human Services](#) has summarized the definitions of “physical abuse,” “sexual abuse” and “neglect” as follows:

- **“Physical Abuse** is any physical injury or threat of harm or substantial injury, inflicted by [a person responsible for a child’s care] upon a child other than by accidental means. The impact of physical abuse can range from minor bruises to severe internal injuries and death. Physical abuse does not include reasonable and moderate physical discipline of a child that does not result in an injury.”
- **“Sexual abuse** is the subjection of a child to a criminal sexual act or threatened act by a person responsible for the child’s care or by a person who has a significant relationship to the child or is in a position of authority.”
- **“Neglect** is the most common form of maltreatment; over 60 percent of all reports in 2009 were allegations of neglect. Neglect usually involves the failure of the child’s caregiver to:
 - Supply the child with necessary food, clothing, shelter, medical or mental health care, or appropriate supervision
 - Protect the child from conditions or actions that endanger the child
 - Take steps to ensure that a child is educated according to the law.

Exposing a child to certain drugs during pregnancy and causing emotional harm to a child may also be considered neglect.”

These are only summaries of the legal definitions, not complete definitions. For that reason, it’s a good idea to ask if you believe conduct may constitute abuse or neglect.

5. What if I’m unsure whether to make a report?

If you’re unsure whether to make a report, ask. UST Human Resources (651-962-6510), the Dean of Students (651-962-6050) and the Office of General Counsel (651-962-6571) can help make a determination of whether a report is required under the policy. UST Required Reporters and students also may call the local child protection services agency and inquire about whether a report should be made to law enforcement. It is always better to err on the side of reporting.

6. When do I have to make a report?

Immediately. Mandatory reporters under the law must make reports to law enforcement within 24 hours after you become aware of the known or suspected abuse. Mandatory reporters of child abuse under the law must follow up with a written report within 72 hours (not including weekends and holidays). Reports to UST Public Safety also must be made immediately.

7. What protection is there for reporters?

Under Minnesota law, persons who make good faith reports of child abuse or neglect to law enforcement (including reports to a child protection services agency) are provided immunity from criminal and civil liability for such reports. In addition, UST prohibits retaliation by or against any person who makes a good faith report under the policy.

8. How do I know if I'm a mandatory reporter of child abuse under Minnesota law?

Minnesota law requires reports of child abuse and neglect by “(1) a professional or delegate of a professional who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation and correctional services, or law enforcement; or (2) [a] member of the clergy [who] received the information while engaged in ministerial duties” provided the information is not privileged under Minnesota Statutes Section 626.556, subdivision 1(c). See [Minnesota Statutes Section 626.556](#). All UST faculty and many UST staff are professionals or delegates of a professional in the field of education or in one of the other categories listed above. Examples of individuals who should consider themselves mandatory reporters of child abuse under Minnesota law include, but are not limited to:

- All faculty
- All coaches, assistant coaches and other Athletics staff
- All clergy
- All members of the President’s Cabinet
- All Academic Advising staff
- All Admissions staff
- All Campus Ministry staff
- All Public Safety staff
- All Student Affairs staff, including (but not limited to):
 - All staff in the Dean of Students Office
 - All Counseling and Psychological Services staff
 - All Health Services staff
 - All staff of the Child Development Center
 - All Residence Life staff

- Any person who works with children or who supervises students or employees who work with children
- Any other professional or delegate of a professional in the field of education, healing arts, social services, psychological or psychiatric treatment, child care, law enforcement, correctional supervision, and probation and correctional services.

9. What if rules of professional ethics require me to keep information confidential?

Under Minnesota's mandatory reporting law, many professionals who normally must keep client information confidential under professional ethical rules are required to make reports of child abuse and neglect. In some cases, there may be a conflict between the ethical rules applicable to a professional (like a lawyer or member of the clergy) and UST's requirement to make reports to law enforcement and UST Public Safety. In cases of such a conflict, UST Required Reporters are required to follow any mandatory reporting obligations they have under state law and to comply with applicable professional ethical rules.

10. Can I just tell my supervisor or a professor?

In most cases, no. Under the policy, all UST Required Reporters have a personal obligation to report to law enforcement. Mandatory reporters under the law have the same personal reporting obligation. Individuals may fulfill their reporting obligation by making a joint call to law enforcement with another UST Required Reporter (for example, a UST Required Reporter can call child protection services together with a staff member in Public Safety, Human Resources, the Dean of Students Office or the Office of General Counsel), but every UST Required Reporter with knowledge of known or suspected abuse is personally required to ensure that a report has been made to law enforcement.

Likewise, UST Required Reporters and students have a personal obligation to report directly to Public Safety any concerns about child abuse or neglect that are connected to UST in any way (that is, the abuse or neglect was committed by a student or UST Required Reporter, occurred on or near campus or in space leased by UST, or occurred in connection with a UST course, event, program or activity, or the UST Required Reporter or student believes there is another connection to UST). If your supervisor or someone else informs you that the report has been made to Public Safety, you still have an obligation to ensure that Public Safety knows. Call the non-emergency Public Safety number (651-962-5100) to confirm that a report has been made.

Students who work off-campus with children through an internship or other program should follow the program's procedures with respect to reporting child abuse they become aware of through such experience. Many such programs require reporting to a site supervisor, and the supervisor will make the mandatory report to law enforcement. In such cases, students who have been assured that a report has been made need not make an additional report to law enforcement. If the off-site program is a field practicum or student teaching program, a report should also be made to the student's faculty supervisor in accordance with program rules. If the student has any good faith doubts about whether a

report was made to law enforcement, the student should consult with the professor or UST staff member associated with the off-campus program or with the Dean of Students.

11. What if I don't make a report required by the policy?

If you are a mandatory reporter under Minnesota law, failure to make a report could subject you to criminal liability.

Any UST Required Reporter or student who fails to make a report required by the policy may be subject to discipline, up to and including termination from employment or expulsion or suspension from an academic program. Any discipline will be administered in a manner consistent with any applicable handbook and will be based on the particular circumstances of the case.

While all UST Required Reporters and students are expected to make reports required by the policy, a UST Required Reporter or student who is or has been a direct victim of abuse by the same perpetrator will not be terminated, expelled or suspended for failing to make an immediate report.

12. What if the abuse or neglect happened in the past?

Required Reports to Law Enforcement. Under UST's policy, UST Required Reporters must make a report to law enforcement if the UST Required Reporter knows or has reason to believe that a child has been neglected or physically or sexually abused anytime within the preceding three (3) years. This is consistent with the obligation of mandatory reporters under Minnesota law. Because many UST students have been a child (under the age of 18) within the past 3 years, information they share with a UST Required Reporter about child abuse may trigger a reporting obligation.

Required Reports to UST Public Safety. Reports to Public Safety are required if the abuse or neglect occurred anytime within the preceding three (3) years. If the abuse or neglect is alleged to have occurred more than three years ago, students and UST Required Reporters must contact the Office of General Counsel (651-962-6571).