

# Student Maltreatment

## Do You Suspect Student Maltreatment?

If you are working within the education system and suspect a child is being or has been abused or neglected, you are a mandated reporter. You are legally required to make the report to the responsible agency; reporting to your supervisor is not sufficient.

### Who Are Mandated Reporters?

Mandated reporters include professionals and their delegates in the following fields: education, health care, social services, childcare, mental health, law enforcement, correctional services, and clergy.

### Protection for Reporters

School districts cannot retaliate against any employee who reports alleged maltreatment. People who make reports cannot be punished by demotion, suspension, or change in assignment. The identity of reporters is confidential and must be protected.

### Who Should You Report To?

All reports of abuse or neglect should be submitted to the agency responsible for investigating the report.

- The Minnesota Department of Education (MDE) investigates reports that occur in public schools.
- County social service agencies investigate reports that occur within the home, family childcare, foster care settings, or in juvenile correctional facilities.

- The Minnesota Department of Human Services investigates reports of alleged maltreatment that occur in licensed childcare centers.
- Law enforcement investigates reports in which a violation of a criminal statute is alleged.

If you are uncertain about how or where to report, please call (651) 582-8546 and we will assist you.

## Filing a Student Maltreatment Report

### What to Report

- **Physical Abuse** includes any physical, threatened, or mental injury inflicted on a child by a person responsible for the care of the child, other than by accidental means. Physical abuse in a school setting includes the use of corporal punishment or prohibited procedures.
- **Sexual Abuse** includes any act of criminal sexual contact by a person responsible for the child's care or by a person in a position of authority over the child. Sexual abuse also includes threatened sexual abuse.
- **Neglect** is the failure to provide a child with necessary food, shelter, clothing or medical care; the failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so; and the failure to provide appropriate care and supervision after considering the child's age, mental ability, physical condition, environment, and length of absence of the caregiver.

## ***How to Report***

- **Online:** Reporting forms and additional information are available on MDE's website: <http://education.state.mn.us> > Select School Support > Student Maltreatment. Complete the form electronically and select the **Email Form** button on the form to automatically email it to MDE.
- **Email:** Save the completed form and email to: [mde.student-maltreatment@state.mn.us](mailto:mde.student-maltreatment@state.mn.us).
- **Fax:** Fax the completed form to 651-797-1601.
- **Telephone:** Report via the 24-hour reporting hotline 651-582-8546. If you report by telephone, you must follow up with a written report within 72 hours.
- **Mail:** Mail the completed form to: Student Maltreatment, 1500 Highway 36 West, Roseville, Minnesota 55113.

## **What Happens Next?**

### ***The Investigative Process***

1. Upon receipt of a report, the Student Maltreatment Program staff will assess the report and determine if it meets the criteria for an investigation.
2. When appropriate, a report will be referred to other agencies or programs within MDE, including the special education unit.
3. When MDE opens a report for investigation, MDE will immediately cross-report to law enforcement as required by law.
4. MDE will then defer the investigation to law enforcement and either work cooperatively with law enforcement and the school on the investigation, or conduct its own investigation.
5. Trained maltreatment investigators will conduct investigations and determine whether maltreatment occurred and who is responsible. The responsible party may be an individual, a facility (i.e., school), or both.
6. MDE investigators and law enforcement must be given access to related school records when they are needed for maltreatment investigation. The Minnesota Government Data Practices Act does not prohibit schools from providing such information when maltreatment is being investigated.

### ***The Final Report***

- Upon completion of an investigation, MDE will issue a determination of whether or not maltreatment occurred.
- The report must protect the identity of the reporter, the student, the alleged offender, and witnesses.
- If maltreatment is determined, the determination must be provided to the victim's parents, the offender, school administrators, the school board, and the appropriate licensing agency if the employee is licensed.
- If maltreatment is not determined, the determination must be provided to the alleged victim's parents, the alleged offender, school administrators, and the school board.

### ***Student Maltreatment Program***

***1500 Highway 36 West***

***Roseville MN 55113***

***Phone: 651-582-8546***

***Fax: 651-797-1601***

***Email: [mde.student-maltreatment@state.mn.us](mailto:mde.student-maltreatment@state.mn.us)***

*<http://education.state.mn.us> > School Support > Student Maltreatment*