

UNIVERSITY REPORTING PROTOCOLS: CHILD ABUSE, SEXUAL ASSAULT, AND CHILD PORNOGRAPHY

I. Background

The University strives to offer a safe and supportive learning and working environment for all individuals. In support of that goal, the University has established reporting protocols for its employees and volunteers with respect to child abuse, sexual assault, and child pornography.

II. Applicability

These protocols apply to all employees and volunteers who are performing services for the University. This may include individuals who fall within one or more of the following classifications: executive management, faculty, academic staff, adjunct faculty, clinical faculty, support staff (including regular, temporary, and on-call), student employee, graduate teaching assistant, graduate research assistant, post-doctoral fellow, leased employee, contract employee, or volunteer.

III. Definitions

- A. Child: An individual under 18 years of age.
- B. Child Abuse: Harm or threatened harm to a child's health or welfare that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, legal guardian, or any other person responsible for the child's health or welfare or by a teacher, a teacher's aide, or a member of the clergy.
- C. Child Neglect: Harm or threatened harm to a child's health or welfare by a parent, legal guardian, or any other person responsible for the child's health or welfare that occurs through either of the following:
 - Negligent treatment, including the failure to provide adequate food, clothing, shelter or medical care.
 - Placing a child at an unreasonable risk to the child's health or welfare by failure of the parent, legal guardian, or other person responsible for the child's health or welfare to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk.
- D. Child Pornography: Any depiction which is of a child or appears to include a child engaging in sexual intercourse, erotic fondling, sadomasochistic abuse, masturbation, passive sexual involvement, sexual excitement, or erotic nudity.

E. Mandated Reporters: Certain professionals who are required by Michigan law to report suspected child abuse or neglect. An individual employed in any of the following professions is considered a mandated reporter:

- Physician
- Dentist
- Physician's assistant
- Registered dental hygienist
- Medical examiner
- Nurse
- Licensed emergency medical care provider
- Audiologist
- Psychologist
- Marriage and family therapist
- Licensed professional counselor
- Social worker
- Licensed master's social worker
- Licensed bachelor's social worker
- Registered social service technician
- Social service technician
- A person employed in a professional capacity in any office of the Friend of the Court
- Law enforcement officer
- Member of the clergy
- Regulated child care provider
- School administrator
- School teacher
- School counselor

F. Sexual Assault: Actual, attempted, or threatened sexual contact with another person without that person's consent.

IV. Reporting Protocols

A. Child Abuse or Child Neglect:

1. Mandated Reporters: Employees or volunteers who are defined as mandated reporters and who suspect child abuse or neglect must make an immediate verbal report to Child Protective Services ("CPS") by calling 855-444-3911. Mandated reporters are also required to file a written report with CPS within 72 hours.

Information about reporting abuse and neglect can be found under the Abuse & Neglect section of the Department of Human Services website at www.michigan.gov/dhs.

2. Other Individuals: Employees or volunteers who are not defined as mandated reporters and who suspect a child may be abused or neglected must contact the MSU Police Department immediately. The MSU Police will file a report with CPS regarding the suspected child abuse or neglect.
3. Employees or volunteers who file a report directly with CPS involving suspected child abuse or neglect occurring on campus or involving a member of the University community must notify the MSU Police Department of that report.
4. Physicians and other health professionals should continue to follow their current, established reporting protocols for child abuse/neglect.

B. Sexual Assault:

1. Employees or volunteers who receive an allegation of sexual assault related to a member of the University community (faculty, staff or student) must report the alleged sexual assault to the MSU Police Department and the Office for Inclusion and Intercultural Initiatives (I3). The MSU Police Department will process the matter criminally and I3 will process the matter under University policy. This would include an allegation that an MSU community member (employee or volunteer) has sexually assaulted a child.
2. The only employees who may honor a request for confidentiality from an adult victim of sexual assault are the University Ombudsperson and those whose conversations are protected by a legally recognized privilege.

C. Child Pornography:

Employees or volunteers who become aware of suspected child pornography on MSU IT Resources must contact the MSU Police Department immediately, unless such information is protected by a legally recognized privilege.

V. Violations

Employees or volunteers who knowingly fail to report suspected child abuse, child neglect, sexual assault, or child pornography may be subject to disciplinary action, up to and including dismissal. Employees or volunteers who are considered “mandated reporters” under State law may also be subject to civil and criminal penalties for failure to report suspected child abuse or neglect.

VI. Resources

- A. Employees and volunteers who work with children are encouraged to review the Michigan Department of Human Resources website (www.michigan.gov/dhs) for information about recognizing and reporting child abuse and neglect.

- B. Employees and volunteers are encouraged to review the Sexual Assault Resource Guide and other materials related to sexual assault at the website www.sexualassault.msu.edu.
- C. Employees and volunteers should read and become familiar with the University's Sexual Harassment Policy at <http://www.inclusion.msu.edu/Equity/Sexual%20Harassment%20Policy.pdf>.
- D. Employees and volunteers are encouraged to review the on-line *Resources on the Safety of Minors at Michigan State University* guide edited by the MSU Libraries at <http://libguides.lib.msu.edu/safetyofminors>.

VII. Contact Information

- A. MSU Police Department
1120 Red Cedar Road
East Lansing, MI 48824
(517) 355-2221
Emergencies: 911
www.police.msu.edu
- B. I3 / Title IX Coordinator
408 W. Circle Drive, Room 101
East Lansing, MI 48824
(517) 353-3922
inclusion@msu.edu
www.inclusion.msu.edu
- C. Michigan Department of Human Services
Report Abuse & Neglect Hotline
855-444-3911

VIII. History

This document was issued by the Office of the President on January 28, 2013.