

# Physical or Sexual Abuse of Children

This Policy has been developed to protect the welfare of children who are on the Davenport Campus or who are participating in off-Campus programs affiliated with the College. Consistent with Iowa Code § 261.9(1)(h) all College 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.

This Policy's purpose is to explain who is to report child abuse, when reporting is required, and the process for making a report.

Nothing in this Policy prohibits any College employee from reporting suspected child abuse in good faith to law enforcement.

## SCOPE

This Policy applies to only Palmer College Foundation d/b/a Palmer College of Chiropractic Campus in Davenport, Iowa ("College").

## REPORTERS

### Mandatory Reporters

College employees who are statutory mandatory reporters of all forms of child abuse (not just physical or sexual abuse) under Iowa law must also fulfill their obligation to directly report to the Iowa Department of Human Services (IDHS) as provided under Iowa Code § 232.67-70.

Mandatory reporters are persons who examine, attend, counsel or treat a child in the scope of professional practice or in their employment responsibilities which include, but are not limited to, chiropractors, chiropractic residents or chiropractic interns.

In accordance with Iowa Code § 232.70, mandatory reporters who suspect a child has been abused must report this to the IDHS by calling (800) 362-2178. The law requires the oral reporting of suspected child abuse to the IDHS within 24 hours of reasonably believing a child has suffered abuse. Further, a written report must be submitted in writing within 48 hours after the oral report.

Mandatory reporters are also required to make an oral report to law enforcement if the reporter has reason to believe that immediate protection of the child is necessary. After notifying law enforcement, then the reporter is required to call IDHS.

In addition, such reports shall be made directly to the College Safety and Security Office (563) 884-5147.

## Permissive Reporters

Reporters by law who are not considered mandatory reporters are designated by the IDHS to be permissive reporters.

Any report of suspected child abuse **must be made** directly to the College Safety and Security Office (563) 884-5147.

In addition, College employees, students and visitors who are permissive reporters may and are strongly encouraged to report all forms of child abuse directly to the IDHS as provided under Iowa Code § 232.67-70. Such a report may be made orally, in writing, or both.

## GOOD FAITH REPORTING

To the extent known, mandatory and permissive reporters are expected to provide truthfully and in good faith oral and written reports containing the following information:

- > The name and home address of the child and the child's parents or other persons believed to be responsible for the child's care;
- > The child's present whereabouts;
- > The child's age;
- > The nature and extent of the child's injuries, including any evidence of previous injuries;
- > The name, age and condition of other children in the same household;
- > Any other information that the reporter believes may be helpful in establishing the cause of the abuse or neglect to the child;
- > The identity of the person or persons responsible for the abuse or neglect to the child; and
- > The reporter's name and address.

A sample copy of Form 470-0665, *Report of Suspected Child Abuse*, is available from the IDHS' website (<http://www.dhs.state.ia.us>). This specific form is not required but the reporter may use it as a guide in making a report of child abuse.

The IDHS' Guidance provides the following standard governing the reporting of suspected child abuse:

- > "The law requires the reporting of suspected child abuse. It is not the reporter's role to validate the abuse. The law does not require you to have proof that the abuse occurred before reporting. The law clearly specifies that reports of child abuse must be made when the person reporting 'reasonably believes a child has suffered abuse.'
- > Reports are made in terms of the child's possible condition, not in terms of an accusation against parents. A report of child abuse is not an accusation, but a request to determine whether child abuse exists and begin the helping process."

IDHS will assess the report and determine the course of action to be taken.

## GUIDANCE ON CHILD ABUSE REPORTING

1. What is a "child" for reporting purposes?
2. Which state agency is responsible for providing protective services to children?
3. What if the suspected abuse is not related to my job?
4. I'm a permissive reporter. Who do I report to under College Policy?
5. What should I do if I see a child that is in imminent danger?
6. I'm a statutory mandatory reporter and I already reported to the IDHS. Do I also have to report under this College Policy?
7. I'm a statutory mandatory reporter. If I report to the College Safety and Security Office, do I also have to report to the IDHS?
8. How should a mandatory reporter deal with confidentiality issues?
9. Who will know the name of the person making a report of child abuse?
10. What is "physical abuse"?
11. What is "sexual abuse"?
12. What if it's not physical or sexual abuse that I suspect?
13. Where do I report?
14. I am afraid to report. Am I protected in any way?
15. I still have questions. Where do I turn?

### **1. What is a "child" for reporting purposes?**

A child is any person under the age of 18.

### **2. Which state agency is responsible for providing protective services to children?**

Iowa Department of Human Services (IDHS).

### **3. What if the suspected abuse is not related to my job?**

The College's concern is to stop child abuse occurring on Campus, or within off-College-Campus programs. So, even if your job does not involve interaction with children, you are encouraged to report any form of suspected child abuse in order to protect children.

### **4. I'm a permissive reporter. Who do I report to under College Policy?**

Permissive reporters are strongly encouraged to report all forms of child abuse to IDHS, however, permissive reporters must report all suspected child abuse to the College Safety and Security Office (563) 884-5147.

### **5. What should I do if I see a child that is in imminent danger?**

Immediately contact law enforcement and then contact IDHS.

**6. I'm a statutory mandatory reporter and I already reported to IDHS. Do I also have to report under the College policy?**

Yes. Reporting to the College Safety and Security Office assures that any necessary follow-up can occur immediately.

**7. I'm a statutory mandatory reporter. If I report to College Safety and Security Office, do I also have to report to IDHS?**

Yes. Employees covered as statutory mandatory reporters of child abuse also must report all forms of child abuse to the IDHS in accordance with the law. Failure of statutory mandatory reporters to report can result in criminal and civil sanctions.

Again, if you are covered as a statutory mandatory reporter, you must report all forms of child abuse, such as child neglect (not just physical or sexual child abuse) to the IDHS within 24 hours. See Iowa Code § 232.68(2)(a)(1)-(11) for a list defining the various forms of child abuse.

**8. How should a mandatory reporter deal with confidentiality issues?**

Rules defining confidentiality and privileged communications are waived during the IDHS assessment process.

**9. Who will know the name of the person making a report of child abuse?**

IDHS will safeguard the reporter's identity during the assessment process. However, the reporter should be aware that continued confidentiality cannot be guaranteed if the report results in juvenile, civil or criminal court action.

**10. What is "physical abuse"?**

"Physical abuse" is 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.

**11. What is "sexual abuse"?**

"Sexual abuse" is 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, or of a person who resides in a home with the child. The commission of sexual abuse 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.

**12. What if it's not physical or sexual abuse that I suspect?**

If you suspect child abuse other than physical or sexual abuse, and you are not a statutory mandatory reporter, you are still encouraged to report to College Safety and Security Office by calling (563) 884-5147 and to IDHS by calling (800) 362-2178. See Iowa Code § 232.68(2)(a)(1)-(11) for a list defining the various forms of child abuse.

### 13. Where do I report?

On Campus, everyone must report to the College Safety and Security Office by calling (563) 884-5147, or go to that office located at 1000 Brady Street in the Campus Center, 3<sup>rd</sup> floor (Student Services), office number CC311.

Anyone, even if the person is not a statutory mandatory reporter under law, may also report to IDHS. Statutory mandatory reporters must report to IDHS by calling (800) 362-2178.

### 14. I am afraid to report. Am I protected in any way?

Many are afraid to report because they either fear retaliation or allegations of false reporting. Iowa Code § 232.73A prohibits retaliation when a report is made in good faith or the reporter provides assistance to IDHS in its assessment of a report. Iowa Code § 232.73 grants qualified immunity from civil or criminal liability when a report is made in good faith or the reporter provides assistance to IDHS in its assessment of a report.

### 15. I still have questions. Where do I turn?

Call the College Safety and Security Office at (563) 884-5147 or the College Office of Compliance at (563) 884-5476.

## STANDARD INSTITUTIONAL POLICY PROVISIONS

Institutional Policies are supplemented by provisions that are applicable to all institutional policies. It is the responsibility of all employees and students to know and comply with these standards.

- > [Standard Provisions Applicable to All Institutional Policies](#)

# Additional Information

## ASSOCIATED POLICIES, PROCESSES AND/OR PROCEDURES

This policy is supplemented below. It is the responsibility of all employees and students to know and comply with policies and procedures as supplemented.

## POLICIES AND HANDBOOKS

### Sexual Assault, Dating Violence, Domestic Violence & Stalking on Campus

- > [http://www.palmer.edu/uploadedFiles/Pages/About\\_Us/Compliance/palmer-vawa-brochure.pdf](http://www.palmer.edu/uploadedFiles/Pages/About_Us/Compliance/palmer-vawa-brochure.pdf)

## PROCESSES AND/OR PROCEDURES

- > N/A

## FORMS/INSTRUCTIONS

- > N/A

## CONTACTS

### Office of Compliance

- > Earlye Julien, PHR, M.S. Ed, CQIA  
Senior Director for Compliance  
1000 Brady Street  
Davenport, IA 52803  
(563) 884-5476  
[earlye.julien@palmer.edu](mailto:earlye.julien@palmer.edu)

### Campus Safety and Security

- > Brian Sharkey  
Senior Director for Campus Safety and Security  
1000 Brady Street  
Davenport, IA 52803-5214  
(563) 884-5147  
[brian.sharkey@palmer.edu](mailto:brian.sharkey@palmer.edu)

### Department of Human Services (DHS)

- > Iowa Department of Human Services (DHS)  
Abuse Hotline (24/7)  
(800) 362-2178
- > Scott County DHS  
600 W. 4<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Davenport, IA 52801  
(563) 326-8794

#### **(ILLINOIS)**

- > Illinois Department of Family and Children Services (DCFS)  
Child Abuse Hotline (24/7)  
(800) 25-ABUSE or (800) 252-2873  
TTY (800) 358-5117

## Local Law Enforcement

- > Davenport Police Department  
226 W. 4<sup>th</sup> Street  
Davenport, IA 52801  
Emergency 911  
Non-Emergency (563) 326-7979

### (ILLINOIS)

- > Moline Police Department  
1640 6<sup>th</sup> Avenue  
Moline, IL 61265  
Emergency 911  
Non-Emergency (309) 797-0401

## HISTORY

Effective:.....September 6, 2016

Adopted:.....August 22, 2016

Responsible Officer: .....Kevin Cunningham, D.C., Ph.D.  
Vice Chancellor for Student Affairs  
Palmer College of Chiropractic  
1000 Brady Street  
Davenport, Iowa  
Phone: (563) 884-5898  
[kevin.cunningham@palmer.edu](mailto:kevin.cunningham@palmer.edu)

Issuing Office:.....Office of Compliance  
Earlye Julien, PHR, MSED, CQIA  
Senior Director for Compliance  
Palmer College of Chiropractic  
1000 Brady Street  
Davenport, Iowa  
Phone: (563) 884-5476  
Fax: (563) 884-5883  
[earlye.julien@palmer.edu](mailto:earlye.julien@palmer.edu)