




August 20, 2012

MEMORANDUM

TO: District Board of Trustees
FROM: Jim Murdaugh, President 
SUBJECT: College Policy Addition

Item Description

This item requests Board approval for policy addition to Chapter 3 - General Administration.

Overview and Background

The College brings forth a request to add Policy 03-33 – Vulnerable Persons. Highlights of this policy are outlined below:

- Policy 03-33 – This policy is recommended to be added to the College's policies due to 2012 Legislation relating to the protection of vulnerable persons. As a result of §39. 201 and 39.205, F.S., the College has created a formal policy to guide the College community on reporting any incidents of child abuse, neglect, or abandonment.

Past Actions by the Board

The Board has taken no previous action on proposed Policy 03-33.

Funding/Financial Implications

None.

Staff Resource

Teresa Smith

Recommended Action

Approve addition to the College policy.

**TALLAHASSEE COMMUNITY COLLEGE
DISTRICT BOARD OF TRUSTEES
P O L I C Y**

TITLE: Protection of Vulnerable Persons – Reporting Suspected Child Abuse	NUMBER: 03-33
AUTHORITY: Florida Statute: 39.201, 39.205	SEE ALSO:
DATE ADOPTED:	

I. PURPOSE

The administration, faculty, staff and students of Tallahassee Community College will adhere to §39.205, F.S., which requires educational institutions and their law enforcement agencies to report known or suspected child abuse, abandonment, or cases of neglect. To ensure compliance with this mandate, all College personnel must report any known or suspected incidents of child abuse, neglect, or abandonment.

II. POLICY STATEMENT

All staff employed by Tallahassee Community College are responsible for the care, safety, and protection of children. This responsibility extends to the identification and timely response to concerns regarding the possible physical, psychological and emotional abuse, neglect, or abandonment of a child.

Administrators who knowingly and willfully, upon receiving information from faculty, staff, other institution employees, or students fail to report known or suspected child abuse, abandonment, or neglect committed on school property or during a school-sponsored event or function, or who knowingly and willfully prevent another person from doing so will have violated this law and College policy.

A Law Enforcement Agency that fails to report known or suspected child abuse, neglect, or abandonment committed on school property or during a school-sponsored event or function will have violated this law and College policy.

Any person knowing and not reporting such abuse may result in termination from the College and/or State prosecution of a felony of the third degree, punishable as provided in § 775.082, 775.083, or 775.084, F.S.

III. DEFINITIONS

1. Caregiver – A parent, adult household member, or other person responsible for a child’s welfare.
2. Child – Any person under the age of 18 years.
3. Child abuse – Any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions.
4. Child abandonment – A situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child’s care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both.
5. Child neglect means –
 - a. A caregiver’s failure or omission to provide a child with the care, supervision, and services necessary to maintain the child’s physical and mental health, including, but not limited to, food, nutrition, clothing, shelter, supervision, medicine, and medical services that a prudent person would consider essential for the well-being of the child;
 - b. A caregiver’s failure to make a reasonable effort to protect a child from abuse, neglect, or exploitation by another person.
 - c. Except as otherwise provided in this section, neglect of a child may be based on repeated conduct or on a single incident or omission that results in, or could reasonably be expected to result in, serious physical or mental injury, or a substantial risk of death, to a child.
6. Juvenile sexual offender –
 - a. A child 12 years of age or younger who is alleged to have committed a violation of chapter 794, chapter 796, chapter 800, s. 827.071, or s. 847.0133, F.S.; or
 - b. A child who is alleged to have committed any violation of law or delinquent act involving juvenile sexual abuse. “Juvenile sexual abuse” means any behavior that ranges from noncontact sexual behavior such as making obscene phone calls, exhibitionism, voyeurism, and the showing or taking of lewd photographs to varying degrees of direct sexual contact.

IV. REPORTING

1. *Any person* who knows, or who has reasonable cause to suspect that a child is abused by an adult (other than parent, legal guardian, caregiver, etc. which is addressed in other statutes), or is the victim of childhood sexual abuse or victim of a known or suspected juvenile sexual offender is required to immediately report this to the Department of Children and Family Services (DCF) and the Tallahassee Community College Police Department (TCCPD).