

**CHILD PROTECTION / MANDATORY REPORTING**

ARTICLE NUMBER: 323

LAST APPROVED: December 3, 2012, March 5, 2018

REFERENCE: ORS 419B.005 – 419B.050

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SUMMARY

All Tillamook Bay Community College employees are required by Oregon law to report suspected cases of child abuse to the Oregon Department of Human Services (DHS) or law enforcement officials. This duty is personal to the individual College employee and applies twenty-four hours-a-day, seven days-a-week whether or not the employee is on work time. College employees must immediately report to DHS or local law enforcement when the employee has “reasonable cause to believe” that any child with whom the employee comes in contact with has suffered abuse, or that any person with whom the employee comes in contact with has abused a child.

In addition, College employees and students must report to the College Director of Human Resources instances of inappropriate conduct when they witness, receive a report of, or reasonably believe an instance of child abuse has occurred. This requirement applies to cases of abuse that allegedly occur on campus, on property owned or leased by the College, or while members of the faculty, staff or student body are participating in a College-connected activity off campus. Reporting to the designated College official does not satisfy the legal duty to report to DHS or local law enforcement.

DEFINITIONS: 323.1

**“Abuse”** means:

- A. Any assault of a child and any physical injury to a child which has been caused by other than accidental means;
- B. Any mental injury to a child, which shall include only observable and substantial impairment of the child’s mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child;
- C. Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest;
- D. Sexual abuse;
- E. Sexual exploitation, including:

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- a. Contributing to the sexual delinquency of a minor;
- b. Allowing, permitting, encouraging or hiring a child to engage in prostitution or patronize a prostitute;
- F. Negligent treatment or maltreatment of a child;
- G. Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child's health or welfare;
- H. Buying or selling a person under 18 years of age;
- I. Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured; or
- J. Unlawful exposure to a controlled substance, as defined in ORS 475.005, that subjects a child to a substantial risk of harm to the child's health or safety.

**"Child"** means an unmarried person who is under 18 years of age.

**"Law enforcement agency"** means:

- A. a city or municipal police department;
- B. a county sheriff's office;
- C. the Oregon State Police; or
- D. a county juvenile department.