

## RESOLUTION 1987

### A RESOLUTION AMENDING THE TOWN OF MUNSTER PERSONNEL MANUAL, CHAPTER 4.1 CONDUCT OF EMPLOYEES

**WHEREAS**, the Town Council of the Town of Munster, Indiana, approved the Town of Munster Personnel Manual in 1999; and,

**WHEREAS**, it becomes necessary from time to time to revise such manuals to reflect the changes in Federal and State Law and to reflect the policies and best practices for Town personnel; and,

**WHEREAS**, provisions must be amended to reflect current minor sexual abuse and neglect policies and procedures; and,

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Munster, Lake County, Indiana, that the Town of Munster Personnel Manual Chapter 4.1 be amended with the following:

#### **Section 8: Child Abuse and Neglect Reporting Act**

The Town of Munster is dedicated to providing a child safe environment for all children that interact with its workplace[s] and its employees and volunteers. The purpose of this policy is to identify mandatory reporting requirements, create employee training requirements and to identify procedures for employees and volunteers to follow when reporting suspected child abuse or neglect.

##### **A. Mandated Reporters**

Under current Indiana law, "*...any individual who has a reason to believe a child is a victim of abuse or neglect has the duty to make a report; therefore, each citizen of Indiana is considered a "mandated reporter."* While reporting child abuse is everyone's responsibility, Indiana law requires some in certain occupations to do so. These professional reporters are staff members in a medical or other public or private institution, school, facility, or agency. These reporters are legally obligated by their profession to report alleged child abuse or neglect. (IC 31-33-5.)

##### **B. What is Child Abuse or Neglect?**

*Child abuse* is a crime and includes physical, emotional and sexual abuse and/or neglect.

Child, for the purposes of child abuse and neglect reporting, is defined as a child in need of services before the child becomes eighteen years of age, who prior to juvenile proceedings, has not been judicially emancipated or emancipated by marriage and is unlikely to be provided or accepting of the services without the coercive intervention of the court.

Neglect means, "*...seriously endangered as a result of the inability, refusal, or neglect of the child's parent, guardian, or custodian to supply the child with necessary food, clothing, shelter, medical care, education, or supervision.*" (IC 31-34-1-1).

Physical or Mental Health means, "...*(1) the child's physical or mental health is seriously endangered due to injury by the act or omission of the child's parent, guardian, or custodian.*

*(2) (b) Evidence that the illegal manufacture of a drug or controlled substance is occurring on property where a child resides creates a rebuttable presumption that the child's physical or mental health is seriously endangered.*" (IC 31-34-1-2).

Sex Offense means, "...*the child lives in the same household as another child who is the victim of a sex offense under: (A) IC 35-42-4-1; (B) IC 35-42-4-2 (repealed); (C) IC 35-42-4-3; (D) IC 35-42-4-4; (E) IC 35-42-4-7; (F) IC 35-42-4-9; (G) IC 35-45-4-1; (H) IC 35-45-4-2; (I) IC 35-46-1-3; or (J) the law of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) through (I); (2) the child lives in the same household as the adult who: (A) committed the sex offense under subdivision (1) and the sex offense resulted in a conviction or a judgment under IC 31-34-11-2; or (B) has been charged with a sex offense listed in subdivision (1) and is awaiting trial; (4) a caseworker assigned to provide services to the child: (A) places the child in a program of informal adjustment or other family or rehabilitative services based upon the existence of the circumstances described in subdivisions (1) and (2) and the assigned caseworker subsequently determines further intervention is necessary; or (B) determines that a program of informal adjustment or other family or rehabilitative services is inappropriate. As added by P.L.1-1997, SEC.17. Amended by P.L.18-2004, SEC.*" (IC 31-34-1-3).

The current definitions of the State of Indiana's definitions of child abuse and neglect can be found in IC 31-34 and can be found in the Town Manager's office.

#### C. Relationships with Minors Prohibited

Employees and volunteers shall adhere to all aspects of the State of Indiana's Child Abuse and Neglect laws; including establishing and maintaining an appropriate relationship with a minor that interacts with employees or the workplace.

Employees, volunteers and other workplace participants while performing their job duties who have violated this policy, determined by an appropriate agency with authority, will be reported to the proper legal authorities and subject to termination.

#### D. Code of Conduct for the Protection of Children and Youth

The Town requires all employees, volunteers and workplace participants interact with minors in a safe and proper manner including:

- Agreeing to do their best to prevent abuse and neglect among children and youth involved in Town activities and services.
- Never physically, sexually or emotionally abuse or neglect a child or youth.
- Agree to comply with the policies for general conduct with children and youth as defined in these *Policies for the Protection of Children and Youth from Abuse*.
- Agree to comply with the State of Indiana Child Abuse and Neglect laws.
- In the event a Town employee, volunteer or workplace participant observes or suspects any inappropriate behaviors or possible policy violations with children or youth, the employee, volunteer or workplace participant agrees to immediately report their observations or suspicions.

- All Town employees, volunteers and workplace participants acknowledge their obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to the appropriate agency with authority.

#### E. Training

Training in the duties imposed by this policy shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. As part of that training, Town employees, volunteers and workplace participants shall provide to all being trained a written copy of the reporting requirements and a written disclosure of this policy.

#### F. Reporting

If you have reasonable suspicion to believe that child abuse or neglect is occurring or that a minor is in danger, you shall immediately make an oral report to the Indiana Family and Social Services Administration; or the Munster Police Department. When required by law a report must also be made to the Town. A listing of the local Department of Children Services can be found below:

Local DCS Office: Lake County  
661 Broadway  
Gary, Indiana 46402  
P: (219) 881-6944  
F: (219) 219-881-2142  
Child Abuse and Neglect Hotline: 1-800-800-5556

A copy of the state reporting form can be found in the Town Manager's Office.

#### G. Questions

If you have questions about this policy direct them to the Town Manager or Assistant Town Manager. If you feel uncomfortable discussing your questions with the Town Manager you can direct your questions to the Indiana Department of Child Services.

**RESOLVED** this 10<sup>th</sup> day of March, 2014 by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL  
OF THE TOWN OF MUNSTER,  
LAKE COUNTY, INDIANA

  
John P. Reed

President

ATTEST:

  
David F. Shafer Clerk-Treasurer