



## MANUAL OF POLICY

<b>TITLE</b>	Vulnerable Persons Act	<b>POLICY</b> 6.109
<b>LEGAL AUTHORITY</b>	39.201, 39.205 F.S.	<b>PAGE</b> 1 of 3

### PURPOSE

The administration, faculty, staff, and students of Gulf Coast State College will adhere to §39.205 and §39.201 F.S., as amended by the Florida Legislature in 2012, which requires educational institutions 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 to the Florida Department of Children and Family Services (“DCF”) and comply with this policy.

Employees are hereby notified that under revisions to Chapter 39.201 Florida Statutes, any individual who fails to report known or suspected child abuse, abandonment, or neglect, or prevents another from making such a report, regardless of where the event occurred or the relationship of the perpetrator to the victim, is guilty of a felony punishable by imprisonment for a term of up to 5 years and a fine not exceeding \$5,000.

Employees are also advised that, pursuant to Florida Statute 39.205, a Florida college system institution, state university, or nonpublic college whose administrators are made aware of known or suspected child abuse, abandonment, or neglect which occurred on college or university property or at an official event sponsored by the college or university, or who prevents the reporting of such child abuse, neglect, or abandonment may be subject to a fine of \$1 million.

This reporting requirement exists even if the employee or administration is aware that the incident has been reported by another individual or entity to DCF. Failure to report in compliance with this policy may result in employee discipline, up to and including termination of employment. Where the alleged perpetrator is a student, the disciplinary process shall proceed in accordance with college policies and procedures.

### POLICY STATEMENT

All staff employed by Gulf Coast State College is 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-



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sponsored event or function, or who knowingly and willfully prevent another person from doing so will have violated this law and college policy.

### DEFINITIONS

The definitions stated hereafter are defined as currently stated in Section 30.01, Florida Statutes. Such definitions shall be amended and modified by subsequent amendments to such Florida Statutes, without further amendment to this policy.

1. Child abandonment - 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.
2. Caregiver - parent, legal custodian, permanent guardian, adult household member, or other person responsible for a child's welfare as defined in 39.01(47) F.S.
3. Child or youth - any unmarried person under the age of 18 years who has not been emancipated by order of the court.
4. 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. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
5. Child neglect -
  - 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.



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6. College administrator - president, vice president, dean, and executive director.
7. Juvenile sexual offender - defined under Sec. 30.01(7) F.S.

### REPORTING REQUIREMENTS

Any person who knows, or has reasonable cause to suspect that a child is abused, abandoned, or neglected, must report such knowledge or suspicion to the Florida Department of Children and Family Services via the toll free, anonymous hotline at **1-800-962-2873 or TDD: 1-800-453-5145**. Reports that may not require immediate investigation may be reported via the DCF web page. Employees witnessing an incident in which an immediate threat is posed to the child should call 911. All employees who make such report should document the filing of such report by writing down the date of the report to DCF and the name of the person taking the report or their employee identification number.

In addition to the reporting obligation to DCF, all employees who know, or have reasonable cause to suspect abuse, abandonment, or neglect should immediately contact one of the following college administrators: President of the College, Vice President of Administration & Finance, Vice President of Academic Affairs, Vice President of Student Affairs, Vice President of Institutional Effectiveness & Strategic Planning, deans, or one of the executive directors and advise such college administrator of the employees reporting to DCF and provide such college administrator with a copy of the written documentation of such report submitted to DCF. The college administrator shall assist the initial reporting employee with completion of a Florida College System Risk Management Consortium Accident-Incident Report.

Upon receipt of the report from the employee, the college administrator shall convene a meeting with the President of the College, General Counsel, and the Executive Director of Marketing and Communications as soon as practicable. At this meeting, the attendees shall report the incident to the DCF via conference call and shall notify the report taker of all individuals present and making the report, as well as the date and time of all other reports known to have been made.

Date Adopted/Amended: 10-3-13, 12-15-16