

True Friends Maltreatment of Minors Mandated Reporting and Internal Review Policy

I. Policy

It is the policy of True Friends to protect the children served by this program whose health or welfare may be jeopardized through physical abuse, neglect, or sexual abuse, as defined by the Maltreatment of Minors Act (Minnesota Statutes, section 626.556) and to report any incidents to the appropriate agencies.

II. Procedures

A. Who should report child abuse and neglect

1. If you provide care to children served by True Friends, you are legally required or mandated to report and cannot shift the responsibility of reporting to your supervisor or to anyone else at your licensed facility.
2. If you know or have reason to believe a child is being or has been neglected or physically or sexually abused within the preceding three years you must immediately make a report to an outside agency. Immediately means as soon as possible but in no event longer than 24 hours.

B. Where to report

1. If you know or suspect that a child is in immediate danger, you must call 911.
2. All reports concerning suspected abuse or neglect of children occurring at True Friends must be made to the department of Human Services, Licensing Division's Maltreatment Intake line at 651-431-6600.
3. Reports regarding incidents of suspected abuse or neglect of children occurring within a family or in the community should be made to the local county social services agency at:
 - Aitkin County 218-927-7200 (Evenings and weekends 218-927-7400)
 - Hennepin County 612-348-8526
 - Hubbard County 218-732-1451 (Evenings and weekends 218-732-3331)
 - Wright County 763-682-7400 (Evenings and weekends 612-490-8569)
 - or local law enforcement, non-emergency number at:
 - Camp Courage in Maple Lake is 763-682-1162
 - Camp Courage North in Lake George is 218-732-3331
 - Camp Eden Wood in Eden Prairie is 952-949-6200
 - Camp Friendship in Annandale is 763-682-1162
 - Camp New Hope in McGregor is 218-927-7435
4. If your report does not involve possible abuse or neglect, but does involve possible violations of Minnesota Statutes or Rules that govern the facility, you should call the Department of Human Services, Licensing Division at 651-431-6500.

C. What to report

1. Definitions of maltreatment are contained in the Reporting of Maltreatment of Minors Act (Minnesota Statutes, section 626.556) and are attached to this policy and are listed below:
Maltreatment of a minor leading to substantial child endangerment means a person is responsible for a child's care, and in the case of sexual abuse includes

a person who has a significant relationship to the child, or a person in a position of authority who by act of omission commits or attempts to commit an act against a child under their care that constitutes any of the following:

- A. egregious harm as defined in section 260C.007;
- B. sexual abuse means the subjection of a child which constitutes a violation of:
 - 1. criminal sexual conduct in the first through the fifth degree; and
 - 2. any act which involved a minor which constitutes a violation offenses.
- C. abandonment under section 260C.301;
- D. murder in the first through third degree;
- E. manslaughter in the first or second degree;
- F. assault in the first through third degree;
- G. solicitation, inducement, and promotion of prostitution under section 609.332;
- H. criminal sexual conduct under sections 609.342 to 609.3451;
- I. solicitation of children to engage in sexual conduct under section 609.352;
- J. malicious punishment or neglect or endangerment of a children under section 609.377 to 609.378; and
- K. use of a minor in sexual performance under section 617.246.

Abuse of a minor includes:

- A. throwing, kicking, burning, biting, or cutting a child;
- B. striking a child with a closed fist;
- C. shaking a child under age three;
- D. striking or other actions which result in any non-accidental injury to a child under 18 months of age;
- E. threatening a child with a weapons, as defined in section 609.02;
- F. striking a child under age one on the face or head;
- G. purposely giving a child poison, alcohol, or dangerous, controlled substances which are not prescribed; and
- H. unreasonable physical confinement or restraint not permitted under section 609.379.

Neglect of a minor includes:

- A. the failure or omission by a caretaker to supply the minor with care and services including:
 - 1. food;
 - 2. clothing;
 - 3. shelter;
 - 4. health care; and
 - 5. supervision.
- B. failure to provide for necessary supervision of a minor/child considering factors as the individual's age, mental ability, physical condition, length of absence, or environment, when the individual is unable to care for their own basic needs, and which a reasonable person would deem essential to obtain or maintain the minor's safety and care.

Financial exploitation means a breach of fiduciary obligation, including:

- A. engaging in unauthorized expenditures of funds entrusted to the actor by the minor, their legal representative, or authorized caregiver which results or is likely to result in detriment to the individual;

- B. failure to use the financial resources of the minor to provide food, clothing, shelter, health care, therapeutic conduct or supervision to the individual;
 - C. willfully uses, withholds, or disposes of funds or property of a minor without express permission of the individual's legal representative;
 - D. acquires possession or control of, or an interest in funds or property of a minor through the use of undue influence, harassment, duress, deception, or fraud; and
 - E. forcing, compelling, coercing, or enticing a minor, against the minor's will, to perform services for the profit or advantage of another.
2. A report to any of the above agencies should contain enough information to identify the child involved, any persons responsible for the abuse or neglect (if known), and the nature and extent of the maltreatment and/or possible licensing violations. For reports concerning suspected abuse or neglect occurring within True Friends, the report should include any actions taken by True Friends in response to the incident.
 3. An oral report of suspected abuse or neglect made to one of the above agencies by a mandated reporter must be followed by a written report to the same agency within 72 hours, exclusive of weekends and holidays.
- D. Failure to report
- A mandated reporter who knows or has reason to believe a child is or has been neglected or physically or sexually abused and fails to report is guilty of a misdemeanor. In addition, a mandated reporter who fails to report maltreatment that is found to be serious or recurring maltreatment may be disqualified from employment in positions allowing direct contact with persons receiving services from programs licensed by the Department of Human Services and by the Minnesota Department of Health, and unlicensed Personal Care Provider Organizations.
- E. Retaliation prohibited
- True Friends, as employer of any mandated reporter, must not retaliate against the mandated reporter for reports made in good faith or against a child with respect to whom the report is made. The Reporting of Maltreatment of Minors Act contains specific provisions regarding civil actions that can be initiated by mandated reporters who believe that retaliation has occurred.
- F. Internal review
1. When True Friends has reason to know that an internal or external report of alleged or suspected maltreatment has been made, True Friends must complete an internal review and take corrective action, if necessary, to protect the health and safety of children in care.
 2. The internal review must include an evaluation of whether:
 - a) related policies and procedures were followed;
 - b) the policies and procedures were adequate;
 - c) there is a need for additional staff training;
 - d) the reported event is similar to past events with the children or the services involved; and
 - e) there is a need for corrective action by the license holder to protect the health and safety of the children in care.
- G. The internal review will be completed by the Director of Camping and/or the Director of Respite Services. If these individuals are involved in the alleged or suspected maltreatment, the President & CEO will be responsible for completing the internal review.

- H. Documentation of the internal review
True Friends must document completion of the internal review and provide documentation of the review to the commissioner upon the commissioner's request.
- I. Corrective action plan
Based on the results of the internal review, True Friends must develop, document, and implement a corrective action plan designed to correct lapses and prevent future lapses in performance by individuals or the license holder, if any.
- J. Staff training
True Friends must provide training to all staff related to the mandated reporting responsibilities as specified in the Reporting of Maltreatment of Minors Act (Minnesota Statutes, section 626.556). True Friends must document the provision of this training in individual personnel records, monitor implementation by staff, and ensure that the policy is readily accessible to staff, as specified under Minnesota Statutes, section 245A.04, subdivision 14.