

REPORTING OF CHILD ABUSE AND NEGLECT

The Board of Education recognizes that student's mental and physical health will have an effect on the student's ability to obtain the most benefit from attending school. In order to increase the student's ability to learn while in school, the Board of Education realizes the importance of identifying students who may be suffering from abuse, neglect or placed in imminent danger of serious harm. Pursuant to Connecticut General Statutes 17a-101, as amended, all school employees, including the Superintendent of Schools, administrators, teachers, substitute teachers, guidance counselors, paraprofessionals, psychologists and social workers, coaches of intramural or interscholastic athletics as well as school nurses, physicians, working in the school system, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools, who suspects child abuse or neglect must first report it to the Department of Children and Families or to a law enforcement agency. When a school employee suspects child abuse, neglect or that a child has been placed in imminent risk of serious harm, he/she shall within twelve (12) hours make an oral report by telephone or in person to the Commissioner of Children and Families, or a law enforcement agency, followed within 48 hours with a written report. The Building Principal shall be notified immediately after the oral report has been made and the Principal in turn will notify the Superintendent of Schools and the child's parents. The written report prepared and submitted by the mandated reporter shall also be submitted to the Principal.

Any school personnel who has reasonable cause to suspect that a district employee is abusing or neglecting a student should orally report that suspicion as soon as possible but no later than twelve (12) hours by telephone or in person to the Commissioner of Children and Families followed no later than 48 hours of making the oral report with a written report to the Department of Children and Families. The Superintendent of Schools or supervising agent may be notified immediately after the oral report has been made. The Commissioner of Children and Families or his/her designee, is required to notify the head of a school, except when that person is the alleged perpetrator. The Superintendent or supervising agent must: 1) immediately notify parent(s) of the alleged abuse or neglect that a report has been made; and 2) immediately notify the Police Department of the alleged abuse or neglect.

In addition, the Superintendent or supervising agent must submit a written report of suspected child abuse or neglect by a school employee who has been entrusted with the care of a child to the Commissioner of Education or his/her representative. The Commissioner of the Department of Children and Families has a similar obligation. The Superintendent shall suspend a District employee when the DCF investigation results in the finding of reasonable cause that the employee abused or neglected a child and recommends the employee be placed on the DCF Child Abuse and Neglect Registry. The Department of Children and Families is required to send to the State Department of Education a copy of the report. Within seventy-two (72) hours after such suspension the Superintendent shall notify the Board of Education and the Commissioner of Education or his/her representative of the reasons for and conditions of the suspension.

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If the contract of employment of a school employee who possesses a certificate, permit or authorization issued by the State Board of Education is terminated, or if such certified school employee resigns his/her employment, as a result of an investigation which reveals that child abuse or neglect has occurred, the Superintendent shall notify the Commissioner of Education within 72 hours of such termination or resignation.

If the report of abuse or neglect involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or of law enforcement agencies.

The Superintendent shall maintain records of allegations, investigations and reports that a child has been abused or neglected by a school employee. Such records will be maintained in the District's Central Office. The records shall include any reports made to the Department of Children and Families. Such Department is to have access to all such records.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations shall provide in-service regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. In addition, all District employees shall complete a training program pertaining to the accurate and prompt reporting of abuse and neglect, made available by the Commissioner of Children and Families. Also, all employees must complete a refresher program at least once every three years. Employees hired before July 1, 2011 must complete the refresher training program by July 1, 2012 and must retake it once every three years thereafter.

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed training related to mandated reporting of child abuse and neglect as required by law.

The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

Legal Reference: Connecticut General Statutes
10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)
10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)
17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedures for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

REPORTING OF CHILD ABUSE AND NEGLECT

Legal References continued

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242 and PA 11-93)

17a-101a Report of abuse or neglect by mandated reports. (as amended by PA 02-106 and PA 11-93)

17a-102 Report of danger of abuse. (as amended by PA 02-106)

17a-106 Cooperation in relation to prevention, identification and treatment of Child abuse/neglect.

10-151 Teacher Tenure Act

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.

P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.

Administrative Regulations to Policy 5141.4
Reporting of Child Abuse and Neglect

a. What must be reported

A report must be made when any mandated reporter of the Board of Education, in his/her professional capacity, has reasonable cause to suspect or to believe that a child under the age of eighteen: *(Mandated reporters include all school employees, including the Superintendent, administrators teachers, substitute teachers, guidance counselors, school paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools.)*

1. Is in danger of being or has been abused;
2. Has had non-accidental physical injuries or physical injuries which are at variance with the history given for them, inflicted by a person responsible for the child's health, welfare or care, or by a person given access to such child by a responsible person;
3. Has been neglected; or
4. Has been placed in imminent risk of serious harm.

Definitions

“Abused” means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

“Neglected” means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his well-being, or (d) has been abused.

“School employee” (a) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by the Board or who is working in an elementary, middle or high school; or (b) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Regional School District No. 7 Public Schools, pursuant to a contract with the Board.

“Statutory mandated reporter” means an individual by CGS Sec. [17a-101](#) to report suspected abuse and/or neglect of children. The term, "statutory mandated reporter" includes all school employees, as defined above

Administrative Regulations to Policy 5141.4
Reporting of Child Abuse and Neglect

b. Reporting Procedures for Statutory Mandated Reporters

The following procedures apply only to statutory mandated reporters, as defined above.

1. When an employee of the Board of Education suspects or believes that a child has been abused, neglected, or has been placed in imminent risk of serious harm, the following steps shall be taken:
 - a) The employee shall immediately, upon having reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent danger of serious harm, or has had non-accidental physical injury or injury which is at variance with the history or such injury, and in no case later than twelve (12) hours after having such a suspicion or belief, make an oral report by telephone or in person to the Commissioner of Children and Families or the local law enforcement agency. The Department of Children and Families has established a 24 hour Child Abuse and Neglect Hotline at 1-800-842-2288 for the purpose of making such oral reports.
 - b) The employee shall also immediately make an oral report to the Building Principal or his/her designee and/or the Superintendent or his/her designee. If the building principal is the alleged perpetrator of the abuse/neglect, then the employee shall notify the Superintendent or his/her designee directly.
 - c) If a report prepared in accordance with Section (a) above concerns suspected abuse or neglect by a school employee, the Superintendent or his/her designee, shall immediately notify the child's parent or guardian that such a report has been made.
 - d) Not later than 48 hours of making an oral report, the employee shall submit a written report to the Commissioner of Children and Families, or his/her representative, containing all of the required information. The written reports should be submitted on the DCF-136 form or any other form designated for that purpose.
 - e) The employee shall immediately, submit a copy of the written report to the Principal and/or Superintendent or the Superintendent's designee.
 - f) If a report prepared in accordance with Section (c) above, concerns suspected abuse or neglect by a school employee who possesses a certificate, permit or authorization issued by the State Board of Education, the Superintendent shall submit a copy of the written report to the Commissioner of Education, or his/her representative.

c. Contents of Report

Any report made pursuant to this policy shall contain the following information, if known:

Administrative Regulations to Policy 5141.4
Reporting of Child Abuse and Neglect

c. Contents of Reports (continued)

1. The names and addresses of the child and his/her parents or other persons responsible for his/her care;
2. The age of the child;
3. The gender of the child;
4. The nature and extent of the child's injury or injuries, maltreatment or neglect;
5. The approximate date and time the injury or injuries to, or maltreatment or neglect occurred;
6. Information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings;
7. The circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
8. The name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
9. The reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;
10. Any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
11. What action, if any, was taken to treat, provide shelter or otherwise assist, the child.

c. Contents of Reports

If the suspected abuser or neglecter is a school employee, the Superintendent or his/her designee shall thoroughly investigate the report, provided that such investigation does not interfere with or impede the investigation by the Department of Children and Families or by a law enforcement agency. To the extent feasible, this investigation shall be coordinated with the Commissioner of Children and Families or the police in order to minimize the number of interviews of any child and to share information with other persons authorized to conduct an investigation of child abuse and neglect. When investigating a report, the Superintendent or his/her designee shall endeavor to obtain, when possible, the consent of parents or guardians or other persons responsible for the care of the child, to interview the child, except in those cases in which there is reason to believe that the parents or guardians or other persons responsible for the care of such child are the perpetrators or the alleged abusers or neglecters.

Administrative Regulations to Policy 5141.4
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The investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse or neglect by a school employee, the Superintendent may suspend the employee with pay or may place the employee on administrative leave with pay pending the outcome of the investigation.

A person reporting child abuse or neglect shall provide any person authorized to conduct an investigation into such claim with all information related to the investigation that is in the possession or control of the person reporting child abuse or neglect, except as expressly prohibited by state or federal law.

- 1. Evidence of Abuse or Neglect by Certain School Employees.** After an investigation has been completed, if the Commissioner of Children and Families, based upon the results of such investigation, has reasonable cause to believe that a child has been abused or neglected by an employee who has been entrusted with the care of a child or has recommended that such employee be placed on the Department of Children and Families abuse and neglect registry, the Commissioner shall notify within five (5) working days after the completion of the investigation into child abuse or neglect by a school employee the Superintendent and the Commissioner of Education of such finding and shall provide records, whether or not created by the Department of Children and Families, concerning such investigation to the Superintendent and the Commissioner of Education. The Superintendent shall suspend the employee, if not previously suspended, with pay and without diminution or termination of benefits if DCF has reasonable cause that the employee abused or neglected a child and recommends the employee be placed on the DCF child abuse and neglect registry. Not later than 72 hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education, or his/her representative, of the reasons for the conditions of suspension. The Superintendent shall disclose records received from the Department of Children and Families to the Commissioner of Education and the Board of Education, or its attorney, for the purposes of review of employment status, certification, permit or authorization. Any decision of the Superintendent concerning such suspension shall remain in effect until the Board of Education Acts, pursuant to the provisions of Connecticut General Statutes. The Commissioner of Education shall also be notified if such certified person resigns from his/her employment in the District. Regardless of the outcome of any investigation by DCF and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action up to and including termination of employment in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected by a certified, permit or authorized school staff member.

If the contract of employment of a certified school employee holding a certificate, permit or authorization issued by the State Board of Education is terminated as a result of an investigation into reports of child abuse and neglect, the Superintendent shall notify the Commissioner of Education, or his/her representative, within 72 hours of such termination.

Administrative Regulations to Policy 5141.4
Reporting of Child Abuse and Neglect

2. Evidence of Abuse or Neglect by Other School Staff. If the investigation by the Superintendent and/or Commissioner of Children and Families did produce evidence that a child has been abused or neglected by a non-certified school staff member the Superintendent and/or the Board, as appropriate, may take disciplinary action up to and including termination of employment.
3. The District shall maintain records of allegations, investigations and reports that a child has been abused or neglected by a school employee. Such records will be maintained in the District's Central Office. The records shall include any reports made to the Department of Children and Families. The State Department of Education is to have access to all such records
4. The Board shall provide to the Commissioner of Children and Families, upon request for the purposes of an investigation by the Commissioner of Children and Families of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept in District files. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of such board of education, and records of the personal misconduct of such teacher.
("Teacher" includes each certified professional employee below the rank of Superintendent employed by a Board of Education in a position requiring a certificate issued by the State Board of Education.)
5. The Board of Education shall permit and give priority to any investigation conducted by the Commissioner of Children and Families or the appropriate local law enforcement agency that a child has been abused or neglected. The Board shall conduct its own investigation and take any disciplinary action, in accordance with the provisions of section [17a-101i](#) of the general statutes, as amended, upon notice from the Commissioner or the appropriate local law enforcement agency that the Board's investigation will not interfere with the investigation of the Commissioner or such local law enforcement agency.
6. The Department of Children and Families will review, at least annually, with the State Department of Education all records and information relating to reports and investigations that a child has been abused and neglected by a school employee, in the Department of Children and Families' possession to ensure that records and information are being shared properly.

e. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

Administrative Regulations to Policy 5141.4
Reporting of Child Abuse and Neglect

f. Special Reporting Procedures Concerning Suspected Abuse or Neglect of Intellectually Disabled Persons

In addition to the reporting procedures set forth above, Connecticut General Statutes require that certain school personnel, including teachers, licensed nurses, psychologists and social workers, report any suspected abuse or neglect of intellectually disabled persons over the age of 18. It is policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to comply with the following procedures in connection with the suspected abuse or neglect, as defined below, of any mentally retarded person over the age of 18.

1. **Definitions.** For the purpose of this policy:

“**Abuse**” means the willful infliction of physical pain or injury or willful deprivation by a caretaker of services which are necessary to the person’s health or safety.

“**Neglect**” means a situation where an intellectually disabled person either is living alone or not able to provide for him/herself the services which are necessary to maintain his/her physical and mental health, or is not receiving such necessary services from the caretaker.

2. **Reporting Procedures.** If an employee has reasonable cause to suspect that an intellectually disabled person has been abused or neglected, he/she shall, within five calendar days, make an oral report to the Director of the Office of Protection and Advocacy for Persons with Disabilities, to be followed by a written report within five additional calendar days, or shall immediately notify the Superintendent in order for the Superintendent to make such oral and written reports to the Office of Protection and Advocacy. In the event that an employee makes a report to the Office of Protection and Advocacy, the employee shall immediately notify the Superintendent.

3. **Contents of Report.** Any such report shall contain the following information:

1. The name and address of the allegedly abused or neglected person;
2. A statement from the reporter indicating a belief that the person is intellectually disabled, together with information indicating that the person is unable to protect himself or herself from abuse or neglect;
3. Information concerning the nature and extent of the abuse or neglect; and
4. Any additional information, which the reporter believes, would be helpful in investigating the report or in protecting the intellectually disabled person.

4. **Investigation of Report.** If the suspected abuser or neglecter is a school employee, the Superintendent shall thoroughly investigate the report following the procedures regarding the investigation of reports of child abuse or neglect set forth in paragraph (e) above.

Administrative Regulations to Policy 5141.4
Reporting of Child Abuse and Neglect

If the investigation by the Superintendent and/or the Office of Protection and Advocacy produces evidence that an intellectually disabled person has been abused or neglected by a school employee, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment.

g. Disciplinary Action for Failure to Follow Policy

Any employee who fails to comply with requirements of this policy shall be subject to discipline, up to and including termination of employment.

h. Non-Discrimination Policy

The Board of Education shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith, makes a report pursuant to this policy or testifies or is about to testify in any proceeding involving abuse or neglect.

i. Training

All District employees are required to complete a training program pertaining to the accurate and prompt reporting of abuse and neglect, made available by the Commissioner of Children and Families. In addition, all employees must complete a refresher program at least once every three years. Employees hired before July 1, 2011 must complete the refresher training program by July 1, 2012 and must retake it once every three years thereafter.

j. Foster Care

Upon request of the Board of Education, the Department of Children and Families shall provide the name, date of birth and school of origin for each child in the custody of the Department of Children and Families who has been placed in foster care and is attending a District school.

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

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Administrative Regulations to Policy 5141.4
Reporting of Child Abuse and Neglect

Legal References (continued...)

17a-28. Definitions. Confidentiality of and access to records; exceptions. Procedures for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242 and PA 11-93)

17a-101a Report of abuse or neglect by mandated reports. (as amended by PA 02-106 and PA 11-93)

17a-101i Abuse of child by school employee or staff member of public or private institution or facility providing care for children. Suspension. Notification of state's attorney re: conviction. Board of education to adopt written policy re: reporting of child abuse by school employee.

17a-102 Report of danger of abuse. (as amended by PA 02-106)

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect

10-151 Teacher Tenure Act

P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District

PA 14-186 An Act Concerning the Department of Children and Families and the Protection of Children