New DCF Policy Facilitates Online Reporting and Creates New Unit for School Districts

The Department of Children and Families (DCF) adopted new procedures last month that will make life easier for some mandated reporters. DCF Policy 22-1-3, Mandated Reporter’s Failure to Report, has been revised to clarify that mandated reporters in schools can report electronically when they reasonably suspect that a child has been abused, neglected or placed at risk of imminent harm in a “non-emergent” situation without risk that they will be subject to a failure-to-report finding.

In 2018, the General Assembly enacted Public Act 18-67, which authorized DCF to establish a system of online reporting “in a manner prescribed by the commissioner.” Last year, DCF implemented a pilot program permitting online reporting by school employees for “non-emergent” situations, i.e., situations when a report is mandated but the child is not in immediate risk. Online reporting was not used extensively through this pilot program, however, because school mandated reporters were cautioned that a decision to report an “emergent” situation online could be considered a failure to report, subjecting the reporter to the risk of penalties, which could even include criminal prosecution.

That program is no longer a pilot and school employees may now file reports online. Happily, DCF revised its DCF Policy 22-1-3, Mandated Reporter’s Failure to Report, to provide:

On-line reports may be made to the Careline by mandated reporters if the report is of a non-emergent nature. However, it will not be considered a failure to report if an on-line report is made and it is later determined that the report concerned an emergent situation. The reporter may be referred for further training regarding the appropriate use of on-line reporting.

(Emphasis added).

DCF has also announced that commencing this month it will be creating two new special units, each consisting of five social workers dedicated exclusively to investigating allegations of abuse/neglect against school employees. Both units will be overseen by two supervisors at the DCF’s Central Office located at 505 Hudson Street in Hartford, CT. DCF further announced that under the new structure Department lawyers will review any substantiation determinations with the goal of responding to complaints more consistently. These new units are expected to provide state-wide uniformity as the assigned social workers develop expertise with the school setting.
Tom Mooney is Co-Chair of the School Law Practice Group and is active in all areas of school law, including labor negotiations for certified and non-certified staff, teacher tenure proceedings, grievance arbitration, freedom of information hearings, student disciplinary matters, special education disputes and all other legal proceedings involving boards of education. Tom is the author of A Practical Guide to Connecticut School Law (9th Edition, 2018), a comprehensive treatise on Connecticut school law, and two columns, “See You in Court!,” which appears in the CABE Journal, and “Legal Mailbag,” which appears in the CAS Bulletin.

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