

BOARD MEMBERS TRAINING

Year	<u>Elected</u>	<u>Term Ends</u>		<u>Orientation-Gov I</u>	<u>Gov II</u>	<u>Gov III</u>	<u>Gov IV</u>
2018			(term #)	<u>term 1/year 1</u>	<u>term 1/year 2</u>	<u>term 1/year 3</u>	<u>Advanced Legal</u>
<u>School Ethics</u>							<u>Re1-All</u>
	11/3/2015	12/31/2018	Laura Bond (3)	1/2015	5/2016	12/2017	
	11/7/2017	12/31/2020	Christina Hoggan (1)	1/2018			
	11/7/2017	12/31/2020	Amy Jablonski (1)	1/2018			
	11/8/2016	12/31/2019	Jignesh Shah (5)	3/2014	10/2015	11/2016	12/2017
	11/8/2016	12/31/2019	Terran Brown (8)	2009	2010	2011	2014 & 10/2017

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 3510

 X **Monitored**

 X **Mandated**

 X **Other Reasons**

Policy

OPERATION AND MAINTENANCE OF PLANT

The Chesterfield Township Board of Education is responsible for providing school facilities that are safe from hazards; sanitary; properly equipped, lighted and ventilated; and aesthetically suited to promoting the goals of the district. School buildings and site accommodations shall include provisions for individuals with disabilities pursuant to law and regulations.

The superintendent shall ensure the development and enforcement of detailed regulations for the safe and sanitary operation of the buildings and grounds. The regulations shall be reviewed and adopted by the board, and provided to all staff annually at the beginning of each school year and when any revisions are formulated.

The superintendent and board secretary shall develop a multiyear comprehensive maintenance plan for board approval, to be updated annually.

The district shall ensure barrier free access for all students, staff and visitors to school facilities.

Safe Drinking Water

The Chesterfield Township Board of Education shall assure the availability of potable drinking water through sanitary means in school facilities or upon school grounds in accordance with the Safe Drinking Water Act (N.J.S.A. 58:12A-1 et seq., N.J.A.C. 6A:26-6, and N.J.A.C. 7:10 et seq.). In accordance with law and board policy 3516 Safety, the board shall test all drinking water outlets, make the results publically available and notify parents/guardians and the New Jersey Department of Education

The board of education directs the superintendent to ensure the development of lead sampling plan with sample collection is consistent with the district's Quality Assurance Project Plan (QAPP) and to ensure that QAPP is signed by the laboratory certified to sample the district's water, the individual responsible for conducting the sampling and is presented to the board for signature.

Within 24-hours after the board has reviewed and verified the final laboratory results of the sampling, the board shall ensure that test results are publicly available at the school facility and on the board's website. If any laboratory results exceed the permissible lead action level, the board shall provide written notification to the parents/guardians of all students attending that facility as well as to the Department of Education. The notice must include measures taken to curtail immediately the use of any drinking water outlet where lead levels exceed the permissible action level, measures taken to ensure that alternate drinking water is available to all students and staff, and information regarding the health effects of lead.

Within six years of the adoption of this policy, and within each six-year period thereafter, the board must test all drinking water outlets; sampling shall be prioritized in facilities previously identified with excessive lead results or identified as high risk in the sampling plan.

Annually, the board must submit to the Department of Education, a statement of assurance that lead testing was completed in accordance with existing Department of Education regulations and that where required, alternate drinking water is available to students and staff.

Integrated Pest Management

The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy. As per this policy, the board and the superintendent shall implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty,

OPERATION AND MAINTENANCE OF PLANT (continued)

and staff to pesticides. Chesterfield Township Elementary School shall develop and maintain an IPM plan as part of the school's policy.

Integrated Pest Management Procedures in Schools

Implementation of IPM procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

The school shall consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

Development of IPM plans

The school IPM plan is a blueprint of how Chesterfield Township Elementary School will manage pests through IPM methods. The school's IPM plan states the school's goals regarding the management of pests and the use of pesticides. It reflects the school's site-specific needs. The IPM plan shall provide a description of how each component of the school IPM policy will be implemented at the school. The superintendent, in collaboration with the school building administrator, shall be responsible for the development of the IPM plan for this school.

IPM Coordinator

The superintendent shall designate an integrated pest management coordinator, who is responsible for the implementation of the school integrated pest management policy.

Education/Training

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM coordinator, other school staff and pesticide applicators involved with implementation of the school IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students, parents/guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

Record Keeping

Records of pesticide use shall be maintained on site to meet the requirements of the state regulatory agency and the school board.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

Notification/Posting

The superintendent is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

OPERATION AND MAINTENANCE OF PLANT (continued)Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School IPM Act.

Pesticide applicators

The IPM coordinator shall ensure that applicators follow state regulations, including licensing requirements and label precautions, and must comply with all components of the School IPM Policy.

Evaluation

Annually, for public schools, the superintendent will report to the board on the effectiveness of the IPM plan and make recommendations for improvement as needed. The board directs the chief school administrator to develop regulations/procedures for the implementation of this policy.

Adopted: March 2004

Revised: April 26, 2004

NJSBA Review/Update: May 2011, March 2015

Readopted: September 21, 2011

Revised: August 30, 2017

Revised:

Key Words

Operation and Maintenance of Plant, Buildings and Grounds, Maintenance

Legal References: N.J.S.A. 13:1F-19

through -33

N.J.S.A. 18A:17-49

through -52

N.J.S.A. 18A:18A-1 et seq.

N.J.S.A. 18A:18A-37

N.J.S.A. 18A:22-8

N.J.S.A. 34:5A-1 et seq.

N.J.S.A. 34:6A-25 et seq.

N.J.S.A. 58:12A-1 et seq.

N.J.A.C. 5:23-1 et seq.

N.J.A.C. 6A:23A-1 et seq.

See Particularly:

N.J.A.C. 6A:23A-6.9

N.J.A.C. 6A:26-12.1 et seq.

See particularly:

N.J.A.C. 6A:26-12.2(a)1, 2

N.J.A.C. 6A:26-12.4

N.J.A.C. 6A:30-1.1 et seq.

N.J.A.C. 7:10-1 et seq.

N.J.A.C. 7:30-13.1 et seq.

20 U.S.C.A. 4071 et. seq.

School Integrated Pest Management Act

Buildings and grounds supervisors to be certified

Public schools contracts law

Award of purchases, contracts, agreements

Contents of budget; format

Worker and Community Right to Know Act

New Jersey Public Employees Occupational Safety and Health Act

Safe Drinking Water Act

The uniform construction code

Fiscal accountability, efficiency and budgeting procedures

Facilities maintenance and repair schedule and accounting

Operation and Maintenance of Facilities

Safe drinking water

Evaluation of the Performance of School Districts

Safe Drinking Water Act

Integrated Pest Management

Equal Access Act

OPERATION AND MAINTENANCE OF PLANT (continued)

International Building Code 2015, New Jersey Edition; First Printing: September 2015;
ISBN: 978-1-60983-156-1; Copyright 2015, International Code Council, Inc.

Possible

<u>Cross References:</u>	*1410	Local units
	*2240	Research, evaluation and planning
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3516	Safety
	*5141	Health
	6161	Equipment, books and materials
	*7110	Long-Range facilities planning
	*9130	Committees

*Indicates policy is included in the Critical Policy Reference Manual.

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 4211

 X **Monitored**

 X **Mandated**

 X **Other Reasons**

Policy

RECRUITMENT, SELECTION AND HIRING

The Chesterfield Township Board of Education guarantees equal employment, advancement opportunity and equal pay for equal work for all people regardless of race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy or other conditions not related to the duties and responsibilities of the job.

The superintendent shall have the responsibility of locating and recruiting the best qualified candidates to provide for the identified needs of the district. Recruiting practices shall include measures for targeting underrepresented populations in every category of employment.

The superintendent or his or her designee shall ensure that the district's employment application process and pre-employment inquiry and interview process conform to the guidelines of the New Jersey Division on Civil Rights and the Law Against Discrimination.

The board of education shall appoint all staff members only from nominations made by the superintendent. All appointments shall be by recorded roll call majority vote of the full membership of the board. The superintendent shall adhere to the following in recruiting and interviewing candidates:

- A. There will be no discrimination in the employment process in regard to race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, nationality, disability, or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job;
- B. All candidates must have training and/or actual work experience in the vacant position, and an acceptable level of proficiency; and
- C. It shall be the duty of the superintendent to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check and proof of citizenship or eligible alien status.

The superintendent is responsible for the preparation and maintenance of job descriptions that define the duties, responsibilities and qualifications required for each support position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The employment of any candidate is not official until the contract is approved by the board of education and signed by the candidate. It shall be the responsibility of the superintendent to communicate this fact to all candidates.

Residency Requirements

Every employee hired by the board shall have their principal residence within the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

RECRUITMENT, SELECTION AND HIRING (continued)

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year, he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);
- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy. However if he/she has had a break in public service for a period of time greater than seven days this exemption shall not apply;
- D. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave of absence caused by accepting a new appointment within the district shall not be considered a break in public service.
- E. An employee may request an exemption to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

Reporting of Arrests, Charges and Indictments

All staff members who are charged, arrested or indicted for a crime or offense must submit a report to the superintendent of the charge, arrest or indictment, including (but not limited to) disorderly persons offenses and drunk driving arrests. This reporting requirement pertains to both in-state and out-of-state offenses and crimes. The employee will make the report within fourteen (14) days. The staff member shall also report the disposition of any charges within seven (7) days of the disposition. Failure to report arrests, charges and indictment may result in disciplinary action up to and including termination of employment.

The superintendent will make these requirements known to all new employees and to all employees on an annual basis.

Adopted:	March 22, 2004
NJSBA Review/Update:	May 2011, May 2012, March 2017
Readopted:	September 21, 2011
Revised:	September 19, 2012
Revised:	May 14, 2014
Revised:	

RECRUITMENT, SELECTION AND HIRING (continued)Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action, Background Check, Personnel Background Check, Domestic Partnership Act, Residency Requirements

<u>Legal References:</u>	<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
	<u>N.J.S.A. 18A:3-15.2</u>	Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
	<u>N.J.S.A. 18A:6-5</u>	Inquiry as to religion and religious tests prohibited
	<u>N.J.S.A. 18A:6-6</u>	No sex discrimination
	<u>N.J.S.A. 18A:6-7.1, -7.5</u>	Criminal history record; employee in regular contact with students; grounds for disqualification from employment; exception
	<u>N.J.S.A. 18A:6-76.1</u>	Deadline for notification to students of requirements of provisional certificate and induction program
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:13-40</u>	General powers and duties of board of newly created regional districts
	<u>N.J.S.A. 18A:16-1</u>	Officers and employees in general
	<u>N.J.S.A. 18A:26-1, -1.1, -2</u>	Citizenship of teachers, etc.
	<u>N.J.S.A. 18A:27-1 et seq.</u>	Employment and Contracts
	See particularly:	
	<u>N.J.S.A. 18A:27-4.1</u>	
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.S.A. 26:8A-1 et seq.</u>	<u>Domestic Partnership Act</u>
	<u>N.J.S.A. 52:14-7</u>	Residency Requirements
	<u>N.J.A.C. 6A:7-1.1 et seq.</u>	Managing for Equality and Equity in Education
	See particularly:	
	<u>N.J.A.C. 6A:7-1.4, -1.8</u>	
	<u>N.J.A.C. 6A:9B-6.1 et seq.</u>	Types of Certificates
	<u>N.J.A.C. 6A:9B-8.1 et seq.</u>	Requirements for Instructional Certification
	<u>N.J.A.C. 6A:9B-10.1 et seq.</u>	Exceptions for the Requirements for the Instructional Certificate
	<u>N.J.A.C. 6A:9B-12.1 et seq.</u>	Requirements for Administrative Certification
	<u>N.J.A.C. 6A:10:1.1 et seq.</u>	Educator effectiveness
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
	<u>N.J.A.C. 6A:32-4.1</u>	Employment of teaching staff
	<u>N.J.A.C. 6A:32-5.1</u>	Standards for determining seniority
	<u>42 U.S.C.A. 2000e et seq.</u> - Title VII of the <u>Civil Rights Act of 1964</u> as amended by the <u>Equal Employment Opportunities Act of 1972</u>	
	<u>29 U.S.C.A. 794 et seq.</u> - Section 504 of the <u>Rehabilitation Act of 1973</u>	
	<u>8 U.S.C.A. 1100 et seq.</u> - <u>Immigration Reform and Control Act of 1986</u>	
	<u>42 U.S.C.A. 12101 et seq.</u> - <u>Americans with Disabilities Act (ADA)</u>	
	<u>Every Student Succeeds Act of 2015</u> , Pub. L. 114-95, 20 <u>U.S.C.A. 6301 et seq.</u>	
	<u>Old Bridge Education Association v. Old Bridge Township Bd. of Ed.</u> , 1986 <u>S.L.D.</u> 1917	
	<u>Taxman v. Piscataway Bd. of Ed.</u> , 91 <u>F. 3d</u> 1547 (3d Cir. 1996)	

RECRUITMENT, SELECTION AND HIRING (continued)

The Comprehensive Equity Plan, New Jersey Department of Education

Possible

<u>Cross References:</u>	2130	Administrative staff
	*2131	Superintendent
	4000	Concepts and roles in personnel
	*4111.1/4211.1	Nondiscrimination/affirmative action
	*4112.2	Certification
	*4112.4/4212.4	Employee health
	4112.5/4212.5	Criminal history check
	*4112.6/4212.6	Personnel records
	*4112.8/4212.8	Nepotism
	*4121	Substitute teachers
	*4222	Noninstructional aides
	*5120	Assessment of individual needs
	*6010	Goals and objectives

*Indicates policy is included in the Critical Policy Reference Manual.

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 4231/4231.1

 X **Monitored**
 Mandated
 X **Other Reasons**

Policy

STAFF DEVELOPMENT: INSERVICE EDUCATION/VISITATIONS/CONFERENCES

The Chesterfield Township Board of Education recognizes that the skills required of support staff members change with changing technology. In order to ensure both optimum efficiency in district operations, and the continued growth in professional knowledge, the superintendent shall ensure that appropriate programs of inservice training shall be developed for support staff as necessary.

The superintendent may recommend to the board the granting of leave for attendance of personnel at state, regional, and national job-related meetings without pay deduction and with expenses paid by the school system according to established allowances.

The board reserves the right to require any staff member attending a board approved professional development experience outside the school district, to present an overview of that experience at a board of education meeting.

Achievement Gap and Inequity

The board shall on a continuing basis, provide professional development training for all school personnel (certified and noncertified) to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice. Parents/guardians and other community members shall be invited to participate in the professional development training. Newly hired certified and noncertified staff shall be provided professional development training on educational equity issues within the first year of employment.

Mandated Inservice Programs

The superintendent shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, harassment, intimidation and bullying, handling blood and body fluids, possible hazardous substances in the workplace, crisis response, school violence and other topics specifically required by federal or New Jersey law.

Adopted: March 22, 2004
NJSBA Review/Update: May 2011, March 2017
Readopted: September 21, 2011
Revised:

Key Words

Staff Development; Inservice; Visitations; Conferences

Legal References:	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:17-46	Act of violence; report by school employee; notice of action taken; annual report
	<u>N.J.S.A.</u> 18A:30-7	Power of boards of education to pay salaries
	<u>N.J.S.A.</u> 18A:31-2	Attendance at conventions of New Jersey Education Association
	<u>N.J.S.A.</u> 18A:40A-3	Initial inservice training programs; curriculum; availability
	<u>See particularly:</u>	

**STAFF DEVELOPMENT; INSERVICE EDUCATION/
VISITATIONS/CONFERENCES** (continued)

<u>N.J.S.A.</u> 18A:40A-3a, -18c	
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 34:5A-10	Retention or workplace surveys
<u>N.J.S.A.</u> 34:5A-13	Employee education and training program; certification of instructors
<u>N.J.A.C.</u> 6A:7-1.6	Professional development
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:16-3.1(a)4, -5.1(d), -6.2(b)12	
<u>N.J.A.C.</u> 6A:16-11.1 <u>et seq.</u>	Reporting Allegations of Child Abuse and Neglect
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Comprehensive Equity Plan, New Jersey State Department of Education

Possible

<u>Cross References:</u>	*2224	Nondiscrimination/affirmative action
	*4215	Supervision
	*4216	Evaluation
	4233	Travel/reimbursement
	*5131	Conduct and discipline
	*5131.1	Harassment, intimidation and bullying
	*5141	Health
	*5141.4	Child abuse and neglect

*Indicates policy is included in the Critical Policy Reference Manual.

MISSING, ABUSED AND NEGLECTED CHILDREN

The board of education believes that a child's physical and mental well-being must be maintained as a prerequisite to the achievement of the New Jersey Student Learning Standards. The board therefore believes that it is important to identify and investigate suspected incidents involving missing, abused and neglected children immediately. The school district will cooperate with the New Jersey Division of Child Protection and Permanency (DCP&P) and law enforcement authorities in identifying and reporting all such cases, whether institutional or noninstitutional.

In order to increase awareness of the symptoms of missing, abused and neglected children and cause them to be better informed on all aspects of abuse and neglect, the board directs the chief school administrator to provide information and inservice training on these subjects to all school employees. Specifically, this training shall include information on the district's policies and procedures for reporting allegations of missing, abused, or neglected child situations. All new employees, volunteers and interns shall receive the required information and training as part of their orientation.

Liaisons to DCP&P and Law Enforcement Authorities

The chief school administrator shall designate a staff member or staff members who shall act as liaison between DCP&P and the district. The liaison shall facilitate communication and cooperation between the district and/or the school and DCP&P and act as primary contact between the schools and DCP&P.

The chief school administrator shall also designate a staff member or staff members who shall act as liaison between law enforcement authorities and the district. The liaison shall facilitate communication and cooperation between the district and law enforcement authorities and act as primary contact between the school and law enforcement.

Reporting Procedures

The chief school administrator is directed to develop procedures for compliance with statutory requirements that suspected incidents of potentially missing, abused and neglected children be reported. The following procedures shall apply:

- A. All staff members, volunteers and interns having contact with pupils are required to report directly and immediately to DCP&P all incidents of alleged missing, abused and neglected children. The person having reason to believe that a child may be missing or may have been abused or neglected may inform the principal or other designated school officials prior to notifying DCP&P if the action will not delay immediate notification. Employees, volunteers and interns shall not be required to obtain confirmation by another person to report a suspected missing, abused or neglected child situation;
- B. The person notifying DCP&P shall inform the principal or other designated school officials of the notification, if this was not done prior to notifying DCP&P. The principal or other school designated school officials should not be given this notification if the person making the notification believes that it would likely endanger the reporter or student involved or result in retaliation against the student or in discrimination against the reporter with respect to his or her employment;
- C. The principal shall notify the law enforcement authorities of incidents of potentially missing, abused, or neglected child situations. Law enforcement authorities shall be notified about all reports by employees, volunteers, or interns working in the school district. Procedures for the notification of the law enforcement authority shall be consistent with the district Memorandum of Agreement (see board policy 1410 Local Units);

MISSING, ABUSED AND NEGLECTED CHILDREN (continued)

- D. The principal shall ensure that all involved staff cooperate with DCP&P and law enforcement authorities in all investigations of potential missing, abused, or neglected children including facilitating:
1. Accommodations permitting investigators to interview the student in the presence of the school principal or other designated school official. If the student is intimidated by the presence of the school representative, the student shall be requested to name an employee, volunteer, or intern he or she feels will be supportive to be present during the interview;
 2. Interviews by scheduling time with any employee, volunteer, or intern who may have information relevant to the investigation;
 3. The release of all records of the student who is the subject of the investigation that are deemed relevant to the assessment or treatment of a potentially missing, abused, or neglected child;
 4. The maintenance, security, and release of all confidential information about potential missing, abused, or neglected child situations;
 5. The release of the student to child welfare authorities while school is in session when it is necessary to protect the student or take the student to a service provider. This removal shall take place only after the principal or his or her designee has been provided, either in advance or at the time removal is sought, with appropriate documentation that DCP&P has already removed, or has appropriate authority to remove, the student from his or her home;
 6. The transfer to another school of a student who has been removed from his or her home by DCP&P for proper care and protection (see board policy 5118.2 Foster Care and Educational Stability).

Due Process

Due process rights will be provided to school personnel, volunteers or interns who have been reassigned or suspended as a result of an accusation of child abuse or neglect. Temporary reassignment or suspension of an employee, with pay, volunteer or intern named as a suspect in an act of child abuse or neglect shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other student is in jeopardy due to continued contact between the employee, volunteer or intern and a student. Due process rights shall include notice of the proposed suspension and a pre-suspension opportunity to respond.

If abuse is found, resulting from a single incident occurring in the school district, the chief school administrator shall be available to meet with the Department of Children and Families, which may request that the chief school administrator create a corrective action plan. The plan may include, but shall not be limited to, action to be taken with respect to a teacher, intern, employee, volunteer or other staff member to assure the health and safety of the alleged victim and other children and to prevent future acts of abuse or neglect. Within 30 days of the date the Department requested the remedial plan, the chief school administrator shall notify the Department in writing of the progress in preparing the plan. The chief school administrator shall complete the plan within 90 days of the date the Department requested the plan.

If the child abuse or neglect is the result of several incidents occurring in the school district, within 30 days of receipt of the report of child abuse or neglect, the Department of Children and Families may request that the chief school administrator make administrative, personnel or structural changes within the district.

Records

All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern working in the school district shall be considered confidential and may be disclosed only as required to cooperate in investigations. These confidential matters are not to be discussed beyond the immediate staff members involved. Any staff found to have breached this confidentiality may be subject to disciplinary action. Records pertaining to such information shall be maintained in a secure location separate from other employee personnel records and accessible only to the school district chief school administrator or his or her designee.

All references to a notification to the designated DCP&P caseworker of a potential missing, abused, or neglected child situation involving a school district employee shall be removed from employee personnel

MISSING, ABUSED AND NEGLECTED CHILDREN (continued)

records immediately following the receipt of an official notice from DCP&P that such allegations were unfounded.

Suicide Reporting

The board is committed to supporting State efforts to improve the information available to both professionals, who are in contact with youth at risk of suicide, and families at risk; identify and provide suitable intervention services to reduce the incidence of suicide; and educate youths and families at risk about the resources available for suicide prevention and intervention about youths who attempt suicide.

Therefore, in compliance with law (N.J.S.A. 30-9A-24 and N.J.A.C. 6A:11-1) school district employees, volunteers, or interns with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall report the information to the Department Children and Families. The information shall be reported in the form and manner prescribed by the Department Children and Families.

The information contained in the report to the Department Children and Families shall not be considered a public record, but the division may aggregate the data for the purpose of preparing an annual report. The reporter shall not be required to identify the student or youth by name or other unique identifier, but may be required to supply non-identifying demographic information about the student or youth, other attempts made by the student or youth and the response or referral made to deal with the incident.

Any person who reports an attempted or completed suicide shall have immunity from any civil or criminal liability on account of that report, unless the person has acted in bad faith or with malicious purpose.

Protection from Reprisal or Retaliation

The board assures all school personnel and volunteers that no one will be discharged from employment or discriminated against in any way as a result of making in good faith any reports of child abuse and neglect. Reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potential missing, abused or neglected child situation is prohibited.

Staff members, volunteers or interns shall not be required to disclose, or be penalized for the failure to disclose, any information which would be privileged according to law (N.J.S.A. 2A:84A-18 through -23).

Adopted: March 18, 2002

NJSBA Review/Update: June 2011

Readopted: September 21, 2011'

Revised:

Key Words

Pupil Safety, Child Abuse, Child Neglect, Student Safety

Legal References: N.J.S.A. 2A:4A-60.2

N.J.S.A. 2A:84A-18
through -23

N.J.S.A. 2C:11-6.

N.J.S.A. 2C:58-8.

N.J.S.A. 9:6-1 et seq.

See particularly:

N.J.S.A. 9:6-3.1; -8.9

through -8.14; -8.21;

-8.27 through -8.30;

-8.34 through -8.36; -8.40;

Disclosure, use of juvenile's statement made in course of screening

Self-incrimination

Aiding suicide

Certain wounds and injuries to be reported

Abuse, abandonment, cruelty and neglect of child; what constitutes

MISSING, ABUSED AND NEGLECTED CHILDREN (continued)

-8.46; -8.56	
<u>N.J.S.A.</u> 18A:6-7a, -10, -11, -13, -14, -18.1, -30, -30.1	Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
<u>N.J.S.A.</u> 18A:6-111	Findings, declarations relative to instruction in suicide prevention in public schools
<u>N.J.S.A.</u> 18A:6-112	Instruction in suicide prevention for public school teaching staff.
<u>N.J.S.A.</u> 18A:6-113	Provision for instruction in suicide prevention in school curriculum
<u>N.J.S.A.</u> 30:9A-22	Findings, declarations relative to youth suicide
<u>N.J.S.A.</u> 30:9A-23	Definitions relative to youth suicide
<u>N.J.S.A.</u> 30:9A-24	Report by teacher of attempted, completed suicide by student
<u>N.J.S.A.</u> 18A:36-19	Pupil records; creation; maintenance and retention, security and access; regulations; nonliability
<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
<u>N.J.S.A.</u> 18A:36-24 <u>et seq.</u>	Missing children; legislative findings and declarations
<u>N.J.S.A.</u> 52:17B-9.8a <u>et seq.</u>	Marking of missing child's school record
<u>N.J.A.C.</u> 6A:16-5.1	School safety plans
<u>N.J.A.C.</u> 6A:16-11.1 <u>et seq.</u>	Reporting Allegations of Child Abuse and Neglect
<u>N.J.A.C.</u> 6A:32-7.1	Student records

Possible

<u>Cross References:</u>	*5113 Absences and excuses
	*5125 Pupil records
	*5141.1 Accidents
	*5142 Pupil safety

*Indicates policy is included in the Critical Policy Reference Manual.

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 5141.4

<u>X</u>	Monitored
<u>X</u>	Mandated
<u> </u>	Other Reasons

Regulation

MISSING, ABUSED AND NEGLECTED CHILDREN

GENERAL STATEMENT

The board of education shall foster with its community of parents a sense of wellbeing and confidence that each child is valued and will be protected from any form of threat or danger to their safety and wellbeing. The board of education adopts the New Jersey Legislature's determination that removal of children from school constitutes a deprivation in itself and may be an indicator of even more grievous abuses. The board believes that it is important to identify and investigate suspected incidents involving missing, abused or neglected children immediately. Moreover, the public schools can and should provide an early warning to the appropriate authorities when a child appears to be missing from the educational system.

Therefore, the school district will cooperate with the New Jersey Division Child Protection and Permanency (DCP&P) and law enforcement authorities in identifying and reporting all such cases of missing, abused and neglected students whether institutional or noninstitutional.

The board further believes that as required by law, school staff, volunteers and interns have the responsibility to report attempted or completed suicide. Reporting enables the district to plan supportive measures for the school community and facilitates the state's initiatives regarding suicide prevention and intervention. Therefore, school staff, volunteers and interns shall report the information to the New Jersey Department New Jersey Department of Children and Families (DCF).

STAFF RESPONSIBLE

The following chart lists the staff members responsible for the implementation of the regulation and summarizes their responsibilities:

Position	Summary of Main Responsibilities
Chief school administrator	<ul style="list-style-type: none">• General policy and procedure oversight within the district• Designation of the liaison(s)• Maintain contact information for police and DCP&P
Building principal	<ul style="list-style-type: none">• General procedure oversight within the school• Development and implementation of reporting and notification procedures for the school• Contacting and being the liaison with law enforcement• Maintaining confidential records and oversee the transfer and release of relevant records as required by law• Maintain contact information for police and DCP&P• Contact parents/guardians or emergency contact as appropriate• In conjunction with CSA, oversight of student enrollment and documentation of attendance• Review procedures for maintenance and access to student records
District liaisons (Building principal & school nurse)	<ul style="list-style-type: none">• Primary contact with Law enforcement, the DCP&P case manager, and DCF as assigned• Facilitates all aspects of the report, investigation and follow-up for reported incidents• Coordinates school services with CST, I&RS, school nurse, EMS, or other services as necessary

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

Board Secretary	<ul style="list-style-type: none"> • Manage policy adoption and revision cycle • Oversight of student records and access to same
Director of Student Services	<ul style="list-style-type: none"> • Default liaison between the school district and DCP&P
Director of Curriculum	<ul style="list-style-type: none"> • In conjunction with CSA, oversight and implementation of instruction in suicide prevention • In conjunction with CSA, coordinate with Commissioner of the Department of Human Services to provide in-service & classroom instruction re: suicide prevention
Medical Inspector	<ul style="list-style-type: none"> • In conjunction with CSA, notify licensed and medical staff of immunity from civil liability for professional services
Attendance Officer	<ul style="list-style-type: none"> • Investigate and report certain student absences

DEFINITIONS

"Abandonment" is defined in N.J.S.A. 9:6-1, as any of the following acts committed by anyone having the custody or control of the child:

1. Willfully forsaking a child;
2. Allowing the child to be exposed to physical or moral risk without proper and sufficient protection;
3. Failing to care for a child to the extent that the child must be supported and maintained at the expense of the public or by private persons who are not legally responsible for the child.

"Abuse" is defined by the above statute as any of the following:

1. Disposing or resolving the custody of a child in ways contrary to law;
2. Employing the child in a position that is dangerous to the child's health, or in violation of the child employment laws of New Jersey;
3. Employing the child in a position that would endanger the morals of the child;
4. Parental/guardian's subjection of the child to the habitual use of profane language;
5. Performing an indecent act or deed, in the presence of a child, where the act may degrade the morals of the child or allowing another person to perform such an act;
6. The use of excessive physical restraint on the child under circumstances which do not indicate that the child's behavior is harmful to himself, others or property;
7. Willfully isolating the child from ordinary social contact under circumstances which indicate emotional or social deprivation.

"Abused child" is defined by N.J.S.A. 9:6-8.9 as a child under the age of 18 years whose parent, guardian, or other person having his custody and control:

1. Inflicts or allows non-accidental physical injury which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ;
2. Creates or allows a non-accidental and substantial or ongoing risk of physical injury to a child which would be likely to cause death or serious or protracted disfigurement, or protracted loss or impairment of the function of any bodily organ; or
3. Commits or allows to be committed an act of sexual abuse against the child;
4. Or a child whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as the result of the failure of his/her parent/guardian to exercise a minimum degree of care:
 - a. In supplying the child with adequate food, clothing, shelter, education, medical or surgical care though financially able to do so or though offered financial or other reasonable means to do so; or
 - b. In providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to harm, or substantial risk thereof, including the infliction of excessive corporal punishment or using excessive physical restraint under circumstances which do not indicate that the child's behavior is harmful to himself, others or property; or by any other act of a similarly

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

serious nature requiring the aid of the court; or

5. A child who has been willfully abandoned by his parent or guardian, or such other person having his custody and control; or
6. A child who is in an institution as defined in N.J.S.A. 9:6-8.21 and (1) has been so placed inappropriately for a continued period of time with the knowledge that the placement has resulted and may continue to result in harm to the child's mental or physical well-being or (2) has been willfully isolated from ordinary social contact under circumstances which indicate emotional or social deprivation.

"Child Cruelty" is defined as:

1. Inflicting unnecessarily severe corporal punishment;
2. Inflicting unnecessary suffering or pain, either mental or physical;
3. Habitually tormenting, vexing or afflicting a child;
4. Any willful act of omission or commission causing or permitting unnecessary pain and suffering; or
5. Exposing a child to unnecessary hardship, fatigue or mental or physical strains that may tend to injure the health or physical or moral well-being of such child.

"Missing child" is defined in N.J.S.A. 52:17B-9.8a as a person under 18 years of age reported to a law enforcement agency as being abducted, enticed away, taken, missing or a runaway. A missing child is also defined in N.J.S.A. 52:17B-212 as a person 13 years of age or younger whose whereabouts are not currently known.

"Neglect" is defined as any of the following acts committed by a person having the custody or control of the child:

1. Willfully failing to provide proper and sufficient food, clothing, maintenance, regular school education as required by law, medical attendance or surgical treatment, and a clean and proper home, or
2. Failure to do or permit any act necessary for the child's physical or moral well-being. Neglect includes the continued inappropriate placement of a child in an institution, knowing that the placement has resulted and may continue to result in harm to the child's mental or physical well-being.

"Parent or guardian" means any natural parent, adoptive parent, resource family parent, stepparent, paramour of a parent, or any person, who has assumed responsibility for the care, custody, or control of a child or upon whom there is a legal duty for such care. "Parent" includes the adoptive or resource family parent. The term also includes any person who has assumed the care of a child, or any person with whom a child is living at the time an offense is committed. Parent, as used in this regulation and attendant policy shall include this definition as well as the legal guardian of the child.

In all cases, the right of a parent/guardian to provide treatment for an ill child in accordance with the religious tenets of any church as authorized by other statutes of New Jersey shall be maintained, provided that laws, rules, and regulations relating to communicable diseases and sanitary matters are not violated. No child, who in good faith, is under treatment by spiritual means alone through prayer in accordance with the tenets and practices of a duly accredited practitioner of that recognized church or religious denomination, shall for this reason alone, be considered to be abused or neglected.

"New Jersey State Department of Children and Families (DCF)" was created in July 2006 as New Jersey's first Cabinet agency devoted exclusively to serving and safeguarding the most vulnerable children and families in the state. DCF includes:

1. Child Protection and Permanency (DCP&P);
2. Children's System of Care;
3. Family and Community Partnerships;
4. Office of Adolescent Services;
5. Office of Education;
6. Child Welfare Training Academy;

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)**7. Centralized Child Abuse/Neglect Hotline;**

"Non-institutional child abuse and neglect" is abuse and/or neglect alleged to have taken place in the home or community by a parent/guardian or any other person having custody or control of the child, and should be reported in person or by telephone to the local DCP&P office.

"Institutional child abuse and neglect" is abuse alleged to have taken place in a school or other institutional setting by school personnel, compensated and uncompensated (volunteer) and should be reported in person or by telephone to the Institutional Abuse Investigation Unit (IAIU) of the local DCP&P office.

INDICATORS OF CHILD ABUSE/NEGLECT

(from: <http://www.nj.gov/dcf/reporting/indicators/>)

Physical Abuse

Physical Indicators	Behavioral Indicators
Unexplained bruises and welts: <ul style="list-style-type: none"> • On face, lips, mouth • On torso, back, buttocks, thighs • In various stages of healing • Cluster, forming regular patterns • Reflecting shape of article used to inflict (electric cord, belt buckle) • On several different surface areas • Regularly appear after absence, weekend or vacation Unexplained burns: <ul style="list-style-type: none"> • Cigar, cigarette burns, especially on soles of the feet, palms, back or buttocks • Immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia) • Patterned like electric burner, iron, etc. • Rope burns on arms, legs, neck or torso Unexplained fractures: <ul style="list-style-type: none"> • To skull, nose, facial structure • In various stages of healing • Multiple or spiral fractures Unexplained laceration or abrasions: <ul style="list-style-type: none"> • To mouth, lips, gums, eyes • To external genitalia 	Wary of adult contacts Apprehensive when other children cry Behavioral extremes: <ul style="list-style-type: none"> • Aggressiveness • Withdrawal Frightened of parents Afraid to go home Reports injury by parents

Physical Neglect

Physical Indicators	Behavioral Indicators
Consistent hunger, poor hygiene, inappropriate dress Consistent lack of supervision, especially in dangerous activities or long periods Constant fatigue or listlessness Unattended physical problems or medical needs Abandonment	Begging, stealing food Extended stays at school (early arrival and late departure) Constantly falling asleep in class Alcohol or drug abuse Delinquency (e.g. thefts) States there is no caregiver

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)**Sexual Abuse**

Physical Indicators	Behavioral Indicators
Difficulty in walking or sitting Torn, stained or bloody underclothing Pain or itching in genital area Bruises or bleeding in external genitalia, vaginal or anal areas Venereal disease, especially in pre-teens Pregnancy	Unwilling to change for gym or participate in PE Withdrawn, fantasy or infantile behavior Bizarre, sophisticated or unusual sexual behavior or knowledge Poor peer relationships Delinquent or run away Reports sexual assault by caregiver

Emotional Maltreatment

Physical Indicators	Behavioral Indicators
Habit disorders (sucking, biting, rocking, etc.) Conduct disorders (antisocial, destructive, etc.) Neurotic traits (sleep disorders, speech disorders, inhibition of play)	Behavior extremes: • Compliant, passive • Aggressive, demanding Overly adoptive behavior: • Inappropriately adult • Inappropriately infant

HOTLINE INFORMATION

All reports of child abuse and neglect, including those occurring in institutional settings such as child care centers, schools, foster homes and residential treatment centers, must be reported to the State Central Registry (SCR). This is a toll-free, 24-hour, seven-days-a-week hotline.

Child Abuse Hotline (State Central Registry)
1-877 NJABUSE
(1-877-652-2873)
TTY 1-800-835-5510

PROCEDURESChild Protection and Permanency Liaison

- A. The chief school administrator designates as a liaison to the Division of Child Protection and Permanency (DCP&P) the school nurse.
- B. The roles and functions of this liaison is to:
1. Facilitate communication and cooperation between DCP&P and the district including the sharing or transfer of records;
 2. Identify issues or problems that arise in the implementation of district policy and procedures related to missing, abused and neglected children and facilitate the resolution of any such problems;
 3. Act as the primary contact with DCP&P with regard to training, general information sharing and the maintenance and development of cooperative efforts;
 4. Coordinate intervention and prevention efforts.

Law Enforcement Liaison

- C. The chief school administrator designates as a liaison to the county prosecutor's office and to the local law enforcement agency the building principal.

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

D. The roles and functions of this liaison is to:

1. Facilitate communication and cooperation;
2. Identify issues or problems that arise in the implementation of this Agreement and facilitate the resolution of any such problems;
3. Act as the primary contact person between the schools and the affected law enforcement agencies;
4. Act together in developing joint training and other cooperative efforts, including information exchanges and joint speaking engagements;
5. Coordinate drug and alcohol abuse and violence intervention and prevention efforts; and
6. Consult on the review of school safety and security plans, pursuant to N.J.A.C. 6A:16-5.1, and the review of approved model policies of the School Security Task Force.

Note: see board policy and regulation 1410 Local Units

Incident Reporting

Any person having reasonable cause to believe that a child has been subjected to child abuse shall report the same immediately to the Division of Child Protection and Permanency by telephone or otherwise. Such reports, where possible, shall contain the names and addresses of the child and his parent, guardian, or other person having custody and control of the child and, if known, the child's age, the nature and possible extent of the child's injuries, abuse or maltreatment, including any evidence of previous injuries, abuse or maltreatment, and any other information that the person believes may be helpful with respect to the child abuse and the identity of the perpetrator.

Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously. Any such person who is discharged from employment or is subject to employment discrimination may file a cause of action in the family part of the Chancery Division of the Superior Court in the county in which the discharge or alleged discrimination occurred or in the county of the person's primary residence.

Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report shall be free from any type of retaliation.

When a complaint made against a school employee alleging child abuse or neglect is determined by the Department of Children and Families to be unfounded, the school district shall remove any references to the complaint and investigation by the department from the employee's personnel records. A complaint made against a school employee that has been classified as unfounded by the department shall not be used against the employee for any purpose relating to employment, including but not limited to, discipline, salary, promotion, transfer, demotion, retention or continuance of employment, termination of employment or any right or privilege relating to employment.

Any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.

Reporting Procedures

The chief school administrator has developed these procedures in compliance with statutory requirements that suspected incidents of potentially missing, abused and neglected children be reported. If a student is reasonably believed to be missing, abused or neglected, the following procedures shall apply:

- A. Any person having reasonable cause to believe that a child has been subjected to child abuse shall report the same immediately to the Division of Child Protection and Permanency by contacting 1-877 NJABUSE (1-877-652-2873) or TTY 1-800-835-5510 or otherwise. Such reports, where possible, shall contain the following:
 1. Name, title and position of individual reporting the alleged abuse;

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

2. Date, time and location that the report of alleged abuse is being submitted to the district;
 3. Names and addresses of the child and his parent, guardian, or other person having custody and control of the child;
 4. If known, the child's age;
 5. The nature and possible extent of the child's injuries, abuse or maltreatment;
 6. Any evidence of previous injuries, abuse or maltreatment, and any other information that the person believes may be helpful with respect to the child abuse and the identity of the perpetrator.
- B. All staff members, volunteers and interns having contact with pupils are required to report directly and immediately to DCP&P all incidents of alleged missing, abused and neglected children. The person having reason to believe that a child may be missing or may have been abused or neglected may inform the principal or other designated school officials prior to notifying DCP&P if the action will not delay immediate notification. The employee making a report to DCP&P shall inform the principal or other designated school officials that a report was made. Employees, volunteers and interns shall not be required to obtain confirmation by another person to report a suspected missing, abused or neglected child situation;
- C. If a student attendance investigation demonstrates reasonable cause to believe a child is missing or has been abused or neglected, the investigator shall immediately notify the building principal who shall then notify the chief school administrator. The chief school administrator shall then notify the Division of Child Protection and Permanency in the Department of Children and Families for its determination of whether the division is or has been involved with the child and whether action, as appropriate, is warranted (pursuant to N.J.S.A. 18A:36-25.2);
- D. The person notifying DCP&P shall inform the principal or other designated school officials of the notification if this was not done prior to notifying DCP&P. The principal or other school designated school official should not be given this notification if the person making the notification believes that it would likely endanger the reporter or student involved or result in retaliation against the student or in discrimination against the reporter with respect to his or her employment. In the event that the person notifying DCP&P believes that making such a report to the principal or other designated school official would endanger the reporter or student involved or result in retaliation against the student or in discrimination against the reporter with respect to his or her employment, the reporter should document reasons for that belief in writing to the chief school administrator or other appropriate school official.
- E. The principal shall notify the chief school administrator and law enforcement authorities of incidents of potentially missing, abused, or neglected child situations. Procedures for the notification of the law enforcement authority shall be consistent with the district Memorandum of Agreement (see board policy 1410 Local Units);
- F. The principal shall ensure that all involved staff cooperate with DCP&P and law enforcement authorities in all investigations of potential missing, abused, or neglected children including facilitating:
1. Accommodations permitting investigators to interview the student in the presence of the school principal or other designated school official. If the student is uncomfortable in the presence of the school representative, the student shall be requested to name an employee, volunteer, or intern he or she feels will be supportive to be present during the interview;
 2. Interviews by scheduling time with any employee, volunteer, or intern who may have information relevant to the investigation;
 3. The release of all records of the student who is the subject of the investigation that are deemed relevant to the assessment or treatment of a potentially missing, abused, or neglected child;
 4. The maintenance, security, and release of all confidential information about potential missing, abused, or neglected child situations;
 5. The release of the student to child welfare authorities while school is in session when it is necessary to protect the student or take the student to a service provider. This removal shall take place only after the principal or his or her designee has been provided, either in advance or at the time removal is sought, with appropriate documentation that DCP&P has already removed, or has appropriate authority to remove, the student from his or her home;

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

6. The transfer to another school of a student who has been removed from his or her home by DCP&P for proper care and protection (see board policy 5118.2 Foster Care and Educational Stability);
7. Notification to the student's parents or guardians shall not be made by school officials or employees when it is suspected that either parent or guardian is responsible for the suspected abuse.

Administrative Responsibilities

The principal shall:

- A. Immediately notify the law enforcement authorities of incidents of potentially missing, abused, or neglected child situations reported by employees, volunteers, or interns. Procedures for the notification of the law enforcement authority shall consistent with the district Memorandum of Agreement (see board policy 1410 Local Units). If the student is attending pursuant to a send-receive or other type of shared services agreement, immediate notice shall also be provided to the law enforcement authorities of the receiving districts. The administration shall consider providing notice to the law enforcement authorities of the sending district where circumstances warrant.
- B. In timely fashion, notify the chief school administrator of incidents of potentially missing, abused, or neglected child situations reported by employees, volunteers, or interns;
- C. Document in writing any reported incident of a missing, abused or neglected student. There may be one report or multiple reports depending on the actions taken at the school and the time frame within which the actions were taken. Reports shall include at a minimum:
 1. The date, time and location the incident was reported;
 2. The name of the staff member, volunteer or intern who reported the incident;
 3. The date and time the principal notified the law enforcement authorities;
 4. The date and time the principal notified the chief school administrator;
 5. A description of the facts reported which may include the reason the report was made, statements and/or observations that caused the suspicion inciting the report, and who was involved;
 6. The date and time of any investigative interviews conducted with school students and staff, including the names, contact information and title of the professional or professionals conducting the interview;
 7. A description of any physical evidence that may have been provided or reported by witnesses.

All records of child abuse reports, all information obtained by the Department of Children and Families in investigating such reports, and all reports of findings forwarded to the child abuse registry shall be kept confidential.

Interviews and Investigations

When DCP&P and/or law enforcement officials investigate allegations of missing, abused or neglected students on school grounds the principal shall:

- A. Check the credentials of the DCP&P caseworker or law enforcement official requesting the interview or information;
- B. Arrange for any necessary accommodations permitting authorized investigators to interview the student in the presence of the principal or designated school official;
- C. If necessary arrange for a school representative of the student's preference to be present during the interview, when the student is not comfortable with the principal or the other designated school official;
- D. As requested by DCP&P and/or the law enforcement official, schedule interview times and locations with any employee, volunteer, or intern who may have information relevant to the investigation;
- E. Prepare and release the records of the student who is the subject of the investigation that are deemed relevant to the assessment or treatment of the potentially missing, abused, or neglected student, to the

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

extent permitted by N.J.S.A. 18A:36-19 and 9:6-8.40 and allowable under the Family Education Rights and Privacy Act (FERPA), 34 CFR Part 99;

F. Cooperate with the maintenance, security, and release of all confidential information:

1. All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern shall be considered confidential and may be disclosed only as required to cooperate in investigations or as required by court order;
2. Records pertaining to such information about an employee, volunteer, or intern shall be maintained in a secure location separate from other employee personnel records and accessible only to the chief school administrator or his or her designee;

G. Facilitate the release of the student to DCP&P while school is in session when it is necessary to protect the student or take the student to a service provider. This removal shall take place only after the principal or his or her designee has been provided, either in advance or at the time removal is sought, with appropriate documentation that DCP&P has already removed, or has appropriate authority to remove, the student from his or her home;

H. Cooperate with and facilitate any transfer arrangements made to another school of a student who has been removed from his or her home by DCP&P for proper care and protection according to the provisions of board policy and procedure 5118.2 Foster Care and Educational Stability.

Due Process Rights of a School Employee, Volunteer, or Intern Named As a Suspect

- A. An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights;
- B. Temporary reassignment or suspension of an employee, volunteer, or intern working in the school district named as a suspect shall occur only if there is reason to believe that the life or health of the alleged victim or other pupil is in imminent danger due to continued contact between the employee, volunteer, or intern and the pupil;
- C. All references to a notification to DCP&P of a potential missing, abused, or neglected child situation involving a school district employee, shall be removed from the employee's personnel records immediately following the receipt of an official notice from DCP&P that the allegation was unfounded.
- D. Any employee who is licensed in the State of New Jersey to practice psychology, psychiatry, medicine, nursing, clinical social work or marriage counseling, is immune from any civil liability for a patient's violent act against another person or against himself unless the practitioner has incurred a duty to warn and protect the potential victim and fails to discharge that duty. Both the duty to warn and exceptions to that duty are located at N.J.S.A. 2A:62A-16.

Suicide Reporting

- A. Any employee, volunteer, or intern with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall report the information to the Department Children and Families. The information shall be reported immediately and in the form and manner prescribed by the Department of Children and Families;
- B. Any person who has reported attempted or completed suicide, shall notify the principal of the reported suspicion, if they did not notify the principal prior to filing the initial report;
- C. The principal or his or her designee may assist the staff member, volunteer or intern in making the report to the Department Children and Families (DCF). Assistance may include:
 1. Distributing the board policy and procedure 5141.4 Missing, Abused and Neglected Children;

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

2. Directing the staff member, volunteer or intern to the DCF website and the electronic reporting form at <http://www.nj.gov/dcf/adolescent/prevention/suicidereportingform.html>;
 3. Provide information regarding confidentiality of reporting;
- D. The principal shall notify the chief school administrator of any incident where a staff member, volunteer or intern has reported to the principal and/or DCF that a student has attempted or completed suicide;
- E. The principal or his or her designee shall keep a written record of any reported incidents of attempted or completed suicide including:
1. The date and time the incident was reported;
 2. The name of the staff member, volunteer or intern who reported the incident.

The staff member, volunteer or intern that reports attempted or completed suicide shall have immunity from any civil or criminal liability on account of that report, unless the person has acted in bad faith or with malicious purpose.

Staff members, volunteers or interns shall not be required to disclose, or be penalized for the failure to disclose, any information which would be privileged according to law (N.J.S.A. 2A:84A-18 through -23).

Professional Development

The chief school administrator shall require each teaching staff member to complete at least two hours of instruction in suicide prevention during each professional development cycle. The instruction must be provided by a licensed health care professional with training and experience in mental health issues. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

REGULATION HISTORY

Effective Date:

Date of Review/Revision:

CROSS REFERENCES

5131.6	Substance Abuse
5131.7	Weapons and Dangerous Instruments
5141	Health
5141.1	Accidents
5141.2	Illness
5141.4	Child Abuse and Neglect
5142	Safety (covers missing children)
5145.11	Questioning and Apprehension
5145.12	Search and Seizure