Merchantville Board of Education
130 South Centre Street
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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 or 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 signs and symptoms of missing, abused and neglected children and cause employees, volunteers and interns to be better informed on all aspects of missing, abused and neglected children, the board directs the chief school administrator to provide information and inservice training on these subjects to all school employees, volunteers and interns. 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

In accordance with law (N.J.S.A. 9:6-8.10; P.L. 2019, c. 40), any person having reasonable cause to believe that a child has been subjected to child abuse, including sexual abuse, or acts of 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/her 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.

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 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 consistent with the district Memorandum of Agreement (see board policy 1410 Local Units);

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, 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. 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 of a potential missing, abused, or neglected child situation involving a school district employee shall be removed from employee personnel 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 of Children and Families. The information shall be reported in the form and manner prescribed by the Department of Children and Families.

The information contained in the report to Department of 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).

Key Words

Pupil Safety, Child Abuse, Child Neglect, Student Safety

Legal References

- N.J.S.A. 2A 4A-60.2: Disclosure, use of juvenile's statement made in course of screening.
- N.J.S.A. 2A 84A-18: Definition of incrimination
- N.J.S.A. 2A 84A-19: Self-incrimination; exceptions
- N.J.S.A. 2A 84A-20: Lawyer-client privilege
- N.J.S.A. 2A 84A-21: Newspaperman's privilege
- N.J.S.A. 2A 84A-22: Marital privilege - confidential communications
- N.J.S.A. 2A 84A-23: Cleric-penitent privilege
- N.J.S.A. 2C 11-6: Aiding suicide
- N.J.S.A. 2C 58-8: Certain wounds and injuries to be reported
- N.J.S.A. 9 6-1: Abuse, abandonment, cruelty and neglect of child; what constitutes
- N.J.S.A. 9 6-3.1: Suspension; due process rights; remedial plan
- N.J.S.A. 9 6-8.9 et seq: "Abused child" defined
- N.J.S.A. 9 6-8.21: Definitions.
- N.J.S.A. 9 6-8.27: Temporary removal with consent.
- N.J.S.A. 9 6-8.34: Persons who may originate proceedings
- N.J.S.A. 9 6-8.40: Records involving abuse or neglect.
- N.J.S.A. 9 6-8.46: Evidence.
- N.J.S.A. 9 6-8.56: Probation supervision
- N.J.S.A. 18A 6-7a: Alleged child abuse, neglect by school employee; no use if unfounded
- N.J.S.A. 18A 6-10: Dismissal and reduction in compensation of persons under tenure in public school system
- N.J.S.A. 18A 6-11: Written charges, statement of evidence; filing; statement of position by employee; certification of determination; notice.
- N.J.S.A. 18A 6-111: Findings, declarations relative to instruction in suicide prevention in public schools.
- N.J.S.A. 18A 6-112: Instruction in suicide prevention for public school teaching staff.
- N.J.S.A. 18A 6-113: Provision for instruction in suicide prevention in school curriculum.
- N.J.S.A. 18A 36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
- N.J.S.A. 18A 36-19a Student records
- N.J.S.A. 18A 36-24 Missing children; legislative findings and declarations
- N.J.S.A. 30 9A-12 Youth suicide prevention program
- N.J.S.A. 30 9A-22: Findings, declarations relative to youth suicide
- N.J.S.A. 30 9A-23: Definitions relative to youth suicide
- N.J.S.A. 30 9A-24: Report by teacher of attempted, completed suicide by student; other reporting requirements
- N.J.S.A. 52 17B-9.8a: "Missing child" defined
- N.J.A.C. 6A 16-5.1 School safety and security plans
- N.J.A.C. 6A 16-11.1 Adoption of policies and procedures
- N.J.A.C. 6A 32-7.1 et seq General considerations

Cross References

5113 - Sample Policy: Attendance, Absences and Excuses
5125 - Sample Policy: Student Records
5141. 1 - Sample Policy: Accidents
5142 - Sample Policy: Pupil Safety

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