

Students

Child Abuse/Neglect

Reporting of Suspected Child Abuse/Neglect

It is the public policy of the State of Connecticut to: protect children whose health and welfare may be adversely affected through injury and neglect; strengthen the family and make the home safe for children by enhancing the parental capacity for good child care; provide a temporary or permanent nurturing and safe environment for children, where necessary; and, for these purposes, require the reporting of suspected child abuse, investigation of such reports by a social agency/local police, and the provision of services, where needed, to such child and family.

In order to assure that the above policy of the State of Connecticut is fully implemented, the East Hampton School System does hereby establish the following policies with respect to suspected abuse and neglect of students:

1. All personnel of the East Hampton Public Schools shall fully comply with all the requirements of the General Statutes and with regulations promulgated by the Commissioner of Children and Families with respect to the reporting of suspected abuse or neglect of a child in accordance with the administrative regulations of the East Hampton Public Schools.
2. All personnel of the East Hampton Public Schools shall fully comply with all the requirements of the General Statutes and Regulations promulgated by the Director of the Office of Protection and Advocacy for persons with disabilities with respect to the reporting of suspected abuse or neglect of mentally retarded students between the ages of 18 and 21 in accordance with the administrative procedures of the East Hampton Public Schools.
3. All personnel shall cooperate fully with the investigation of suspected abuse and neglect by the Department of Children and Families (DCF), a law enforcement agency, and/or the Office of Protection and Advocacy for persons with disabilities, and with all court proceedings involving suspected abuse and neglect.
4. Mandated reporting requirements of the General Statutes and Regulations, and the administrative procedures regarding reporting, shall be appropriately reviewed with all professional and paraprofessional personnel who are mandated reporters, and with school personnel who are not mandated reporters (e.g., secretaries, maintenance, cafeteria, and transportation staff) at periodic intervals not less frequently than once each school year.

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5. Any student suspected of having been abused or neglected who is in need of health care attention shall be provided such health care to the same extent it would be provided to any other child in need of such care.
6. All personnel of the East Hampton Public Schools shall treat all cases of suspected abuse and neglect with full consideration of the privacy of students and families, and will maintain appropriate confidentiality within the limitations of federal and state laws and local policy.

The purpose of this Board Policy is to inform all employees in the school system of the statutory requirements to report suspected child physical or sexual abuse, and neglect, and of their immunity from civil liability or criminal penalty for making such reports.

Legal Reference: Connecticut General Statutes

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 and PA 00-220)

17a-101a Report of abuse or neglect by mandated reports.

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

10-151 Teacher Tenure Act

Policy adopted: June 26, 2006

EAST HAMPTON PUBLIC SCHOOLS
East Hampton, Connecticut

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1. Who must report:

Any person paid to care for a child in any public or private facility, day care center or family day care home which is licensed by the state.

- Licensed Practical Nurses
- Registered Nurses
- Physical Therapists
- School Psychologists
- School Guidance Counselors
- School Paraprofessionals
- School Principals
- School Teachers
- School Social Workers

2. Anonymity:

- a. Mandated reporters are asked to give their name when they make a report to DCF. This greatly aids in the investigation of the report. However, reporters may request anonymity. This means that DCF would not disclose their name or identity unless mandated to do so by the Connecticut General Statutes (Sections 17a-28 and 17a-101). Information not disclosed upon request includes the name of the reporter or any identifying information regarding the source of the report (e.g. school personnel, medical facility).
- b. DCF will advise all reporters that the Department cannot maintain the anonymity of the reporter under the following circumstances:
 - when court activity to protect a child requires the Department to call the reporter as a witness.
 - in any report resulting in criminal prosecution, when the Department is mandated to share the case record and all information with the state's attorney or designee.
- c. Unless the reporter has authorized disclosure, in all cases in which a parent or legal representative wishes to review the case record, DCF shall protect the identity of the reporter by eliminating all references to the reporter's name or any identifying information.

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3. How is a report provided:

- a. Mandated reporters must make or cause to be made an oral report of suspected abuse or neglect to the Commissioner of DCF (via the Child Protection Careline, 1-800-842-2288) or a law enforcement agency within 12 hours of reasonably suspecting or believing that a child has been abused or neglected or is in danger of being abused. This includes reports in which a school employee is the suspected perpetrator.
- b. If the oral report is made to DCF and includes all of the required information contained on the DCF-136 form (see attached), if known, a written report need not be submitted to DCF.
- c. If an oral report is made to the police, then a written report using the revised DCF-136 form must be submitted to DCF within 48 hours.
- d. In either case, after making an oral report, mandated reporters who are employees of or are contracted by the East Hampton Public Schools must also submit a copy of the written revised DCF-136 report to the Superintendent of Schools or his/her designee.

4. What must be reported:

- a. Mandated reporters are required to report when they have reasonable cause to suspect that a child under the age of 18 has been abused or neglected.
- b. Child abuse is defined as: a child who has had physical injury(ies) inflicted upon him/her other than by accidental means, or has injuries which are at variance with history given of them, or is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment or cruel punishment.
- c. Child neglect is defined as: a child who has been abandoned, is being denied proper care and attention physically, educationally, emotionally, or morally, or is being permitted to live under conditions, circumstances or associations injurious to his/her well-being.

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- d. Mandated reporters are only required to report situations they become aware of through their professional capacity. They can and should still report other situations.
- e. All oral and written reports of suspected abuse or neglect must contain, if known:
 - the names and addresses of the child and his/her parents or other persons responsible for his/her care;
 - the age of the child;
 - the gender of the child;
 - the nature and extent of the child's injury or injuries, maltreatment or neglect;
 - the approximate date and time the injury or injuries, maltreatment or neglect occurred;
 - information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings;
 - the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
 - the name of the person suspected of being responsible for causing such injury or injuries, maltreatment or neglect; and
 - whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

Please note: under this law, a "child" refers to a person under the age of eighteen (18) years.

East Hampton Public School employees are to use the revised DCF-136 (10/96) form for all written reports.

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5. Informing the Family

- a. Mandated reporters are under no legal obligation to inform parents that they have made a report to DCF about their child. However, depending on the circumstances, it may be necessary and/or beneficial to do so.
 - When a child is suspected of being abused or neglected by a member of the staff of a private or public school or an institution that cares for the child, the person in charge of the school or facility must immediately notify the child's parent or other person responsible for the child's care that a report has been made.
 - Health care professionals may need to talk with parents to assess the cause of a child's injuries.
 - Mental health professionals or members of the clergy may want to talk with parents in order to offer support and guidance.
- b. However, in cases of serious physical abuse or sexual abuse, it may not be wise to talk with parents before reporting the case to DCF. This may put the child at greater risk and interfere with a possible criminal investigation.

6. Immunity and Penalty

- a. The East Hampton Public Schools will not discharge, or in any manner discriminate or retaliate against, any employee who in good faith makes a report, testifies or is about to testify in any proceeding involving child abuse or neglect. Under state law, any person who in good faith makes a report of suspected child abuse/neglect is immune from any civil or criminal liability.
- b. Any person who knowingly makes a false report of child abuse or neglect shall be fined, if convicted, not more than \$2,000 or imprisoned not more than one year or both.

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7. Investigation of Abuse and/or Neglect Report

- a. DCF and/or the police will be the lead agencies for the investigation of any suspected abuse or neglect.
- b. DCF and/or the police are responsible to coordinate and minimize the number of interviews of any child.
- c. DCF must obtain consent of the parent, guardian or person responsible for the child's care for any interview with a student unless the alleged perpetrator is such person or a member of the child's household. When consent is not required, the interview must be conducted in the presence of a disinterested party, such as a teacher, pupil services specialist or principal. The latter does not apply if a disinterested adult is not accessible after a reasonable search, and an immediate interview is necessary.

8. Any Person May Report

- a. Any person other than mandated reporters may cause a written or oral report to be made to the Commissioner of DCF (via the Child Protection Careline, 1-800-842-2288), or a law enforcement agency, and shall be requested but not required to give his name or address when making such a report.

9. DCF Response Letter To Mandated Reporters

- a. DCF may provide to mandated reporters the following limited information subsequent to a report of suspected abuse or neglect: the status of the investigation and, in general terms, any action taken by the Department. Please note: DCF sends the "Response Letter To Mandated Reporter," DCF-2122 form, to the reporter. It is recommended that this form be filed in district with the DCF-136 form that documented the original report to DCF.
- b. DCF cannot release the names of non-mandated reporters without their written consent, except to: (1) an employee of DCF responsible for child protective services or the abuse registry; (2) a law enforcement agency; (3) the Chief State's Attorney or designee; (4) the State's Attorney in the jurisdiction where the incident occurred; or (5) an Assistant Attorney General.

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10. Disclosure of Reporter's Name

- a. The name of any individual who cooperates with an investigation of a report of child abuse or neglect shall be kept confidential upon request or upon determination by DCF that disclosure may be detrimental to the safety or interests of the individual except that DCF may disclose the individual's name to a law enforcement officer, a State's Attorney or Assistant State's Attorney. Please note: This section includes mandated reporters who cooperate with an investigation.

11. Instances of Suspected Abuse by a School Employee

- a. As with all reports of suspected abuse or neglect, a written report concerning a school employee must be made to the Superintendent of Schools or his/her designee.
- b. Such person in charge shall then immediately notify the child's parent, or other person responsible for the child's care, that a report has been made. In the case of a certified employee, the person in charge of the school or his/her designee must also send a written report to the Commissioner of Education or his/her representative using the revised DCF-136 form.
- c. Whenever an investigation pursuant to Section 9 of Public Act 96-246 produces evidence that a child has been abused by a public school employee in a position requiring a certificate, the Superintendent must suspend such school employee with pay and continuation of benefits. Such suspension shall remain in effect until the Board of Education acts pursuant to Section 10-151 of the general statutes as amended. Please note: (1) Section 9 of this act refers to the investigation of DCF; (2) "evidence" is not defined in the act; and (3) the law does not address what a school district's responsibility is regarding suspension of non-certified school employee who is suspected of abusing a child.
- d. Within seventy-two (72) hours after such suspension, the Superintendent of Schools shall notify the local or regional Board of Education and the Commissioner of Education or his/her representative, of the reasons for the conditions of the suspension (see Section 11(a)).

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- e. If the contract of employment of a certified school employee is terminated as a result of an investigation of child abuse, the Superintendent shall notify the Commissioner of Education, or his/her representative, within seventy-two (72) hours after such termination.
- f. Upon receipt of any report required under P.A. 96-246, Sections 2 to 6 inclusive, the Commissioner of Education may commence certification revocation proceedings in accordance with 10-145b of the general statutes, as amended. Information contained in such reports shall be confidential subject to regulations adopted by the State Board of Education.
- g. The State's Attorney must notify the Superintendent of the school district or supervising agent of a nonpublic school and the Commissioner of Education when a school employee, or any person holding a certificate issued by the State Board of Education, is convicted of a crime involving an act of child abuse or neglect.