

STUDENTS

CHILD ABUSE OR 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.

Connecticut General Statute 17a-101 as amended, has defined various school employees as mandated reporters. Mandated reporters are required to report if they suspect or believe that a child has been abused or neglected or may be abused.

In order to assure that the above policy of the State of Connecticut is fully implemented, Regional School District 13 does hereby establish the following policies with respect to suspected abuse and neglect of students:

1. All personnel of Regional School District 13 shall fully comply with all the requirements of the Connecticut 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 procedures of Regional School District 13.
2. All personnel of Regional School District 13 shall fully comply with all the requirements of the Connecticut 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 Regional School District 13.
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. Such 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.
5. Any student suspected of having 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 Regional School District 13 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 liberty or criminal penalty for making such reports.

Legal Citations: CT General Statutes Sections 17a-101, 102, 103, 104, 106 and
CT General Statutes Sections 19a-458a, as amended by Public Act 96-246

Legal Reference: 17a-101 Protection of children from abuse. Reports required of certain professional persons. When a child may be removed from surrounding without court order. (as amended by PA 96-246, PA 00-220 and PA 02-106)

17a-101a Report of abuse or neglect by mandated reporters. (as amended by PA 02-106)

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STUDENTS

CHILD ABUSE OR NEGLECT

REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT

Items #1 – 15 below apply to all instances of suspected abuse regardless of whether the person suspected of abusing or neglecting the student is a caregiver (outside of school) or a school employee. Items #16 to 21 apply only to instances of suspected abuse by a school employee. The Section numbers following each entry refer to Section numbers in Public Act 96-246.

1. 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 (see Section 3).
2. All oral and written reports of suspected abuse or neglect must contain, if known:
 - the names and addresses of the child and his parents or other person responsible for his 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 to, or maltreatment or neglect of the child or his siblings;
 - the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
 - the name of the person or persons suspected to be 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 (see Section 5).

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

3. When the mandated reporter reports orally to DCF, as required by Section 5, he or she does not need to file a written report to DCF (see Section 4).
4. For the purposes of receiving and making reports, notifying and receiving notification, or investigating, the superintendent may assign a designee to act on his/her behalf (see Section 11(d)).
5. When the mandated reporter reports orally to the police, rather than to DCF, the reporter must submit within 48 hours a written report to DCF – using the revised DCF-136 form (see Section 4).

6. A mandated reporter, who is a member of the school staff, shall also submit a written report to the superintendent or his/her designee (see Section 4).

Please note: Mandated (1) reporters use the DCF-136 form for this purpose, and (2) when the suspected abuser is not a school employee, the superintendent may designate the principal of each school to receive such reports.

7. No employer shall 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. An employer who violates this provision may be assessed a civil penalty of not more than \$2,500 and other penalties as the court deems appropriate (see Section 6(a)).
8. 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 (see Section 6(c)).
9. DCF and/or the police will be the lead agencies for the investigation of any suspected abuse or neglect (see Section 3).
10. DCF and/or the police are responsible to coordinate and minimize the number of interviews of any child (see Section 10).
11. 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 (see Section 10).
12. Any person other than mandated reporters may cause a written or oral report to be made to the Commissioner of DCF (via 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 (see Section 7).
13. 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 (see Section 17(f)(7)).

Please note: DCF sends the "Response Letter to Mandated Reporter", DCF-2122 form, to the reporter; this form is to be filed with the DCF-136 form that documented the original report to DCF.

14. 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 (see Section 17(h)).
15. 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 (see Section 17(I)).

Please note: This section includes mandated reporters who cooperate with an investigation.

Items 16 through 21 below apply only to instances of suspected abuse by a school employee.

16. As with all reports of suspected abuse or neglect, a written report concerning a school employee must be made to the Superintendent or his/her designee (see Section 3(b)).

Please note: In this situation, the Superintendent may not designate principals to receive such reports.

17. 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 (see Section 3(b)). In the case of a certified employee, the person in charge of the school or his designee must also send a written report to the Commissioner of Education or his representative (see Section 4).
18. Whenever an investigation pursuant to Section 9 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 (see Section 11(a)).

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 employees who are suspected of abusing a child.

19. Within seventy-two (72) hours after such suspension, the Superintendent shall notify the Board of Education and the Commissioner of Education or his representative, of the reasons for and conditions of the suspension (see Section 11(a)).
20. 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 representative, within seventy-two (72) hours after such termination.

REGULATION 5141.5

21. 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 (see Section 11a).

Legal Reference: Connecticut General Statutes §17a-101, as amended by P.A. 96-256

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