

DANBURY PUBLIC SCHOOLS Danbury, Connecticut	REGULATIONS	
<i>CHILD ABUSE/NEGLECT REPORTING</i>	Reviewed: 4/9/08	Policy No. 7-234 Page
<p><u>Students</u></p> <p><u>Reporting of Child Abuse/Neglect</u></p> <p>This regulation is intended to safeguard children whose health and welfare may be adversely affected through injury and neglect, and to ensure a nurturing and safe environment. Oral reports should be made immediately to the Department of Children and Families when there is reasonable cause to suspect or believe that any child under the age of eighteen:</p> <ol style="list-style-type: none"> 1. has had physical injury of injuries inflicted upon him or her (other than by accidental means) by a person responsible for the child's health, welfare or care, or by a person given access to the child; 2. has injuries which are at variance with the explanation given of their occurrence; 3. is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual abuse, sexual exploitation, deprivation of necessities, emotional maltreatment, or cruel punishment; 4. is in danger of being abused even though one does not have reasonable cause to suspect or believe such abuse has actually occurred; 5. has been neglected in one or more of the following ways: <ol style="list-style-type: none"> (a) has been abandoned; (b) is being denied proper care and attention physically, educationally, emotionally or morally; (c) is being permitted to live under conditions, circumstances, or associations injurious to the child's well-being. <p><u>Reporting Procedures:</u></p> <p>Whenever a statutory mandated reporter employed by the Board of Education ("statutory mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101, as amended by Public Act 96-246), who in his/her professional or paraprofessional capacity, has reasonable cause to suspect or believe that a child under the age of eighteen has been abused or neglected, or is in danger of being abused, he or she shall immediately cause a report to be made to DCF.</p>		

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<ol style="list-style-type: none"> 1. Professional and paraprofessional staff shall immediately bring their suspicions or beliefs to the attention of the building principal, his or her designee, or a pupil services staff member. If further interview or examination of the student is needed in order to establish or rule out “reasonable cause to suspect or believe” abuse or neglect, staff shall follow Guidelines for Clinical Assessment (Appendix A). Staff members not legally mandated to report are nevertheless mandated by the Board to report their suspicions to a legally mandated reporter, who must then proceed in accordance with the law and Board policy and regulations. 2. Once “reasonable cause to suspect or believe” is established by <u>any or all</u> of the involved staff members, all pre-referral investigation by school personnel must end and an oral report must immediately be made to DCF (800-842-2288). 3. In deciding whether or not “reasonable cause to suspect or believe” and hence whether or not to report, the following should be considered: <ol style="list-style-type: none"> a) Any doubt as to whether or not “reasonable suspicion or belief” exists should be resolved in favor of the child. That is, the oral report should be made immediately. b) No person in higher authority may interfere with or veto a staff member’s decision to report. c) No employee shall discharge or in any manner discriminate or retaliate against any employee who in good faith makes a report. d) State law protects good faith reporters from liability, regardless of the outcome of DCF's investigation, unless the reporter is the perpetrator of abuse or neglect. State law also protects those who in good faith do not make a report (that is do not believe they have "reasonable suspicion"). e) Conversely, to fail to report “reasonable suspicion” of abuse or neglect is against the law, and is punishable by a fine not to exceed \$500. f) Any person who knowingly makes a false report of child abuse or neglect shall be fined not more than \$2,000 or imprisoned not more than one year or both. g) Confidentiality of the student and family must be maintained beyond those who have a need to know. 		

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<p>4. All oral reports must contain, if known, the following information:</p> <ul style="list-style-type: none"> a) the names and addresses of the child and the parents or other person responsible for his or her care; b) the age of the child; c) the gender of the child; d) the nature and extent of the child’s injury or injuries; e) the approximate date and time the injury or injuries, maltreatment or neglect occurred; f) information concerning any previous injury or injuries or maltreatment or neglect of the child or his or her siblings; g) the circumstances in which the injury or injuries, maltreatment or neglect, came to be known to the reporter; h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and i) whatever action, if any, was taken to treat, provide shelter, or otherwise assist the child. <p>4. Once the oral report has been phoned in, the management of the case becomes the responsibility of DCF.</p> <p><u>Role of DCF</u></p> <p>1. <u>Determination of need for In-School Interview</u></p> <p>DCF must be notified as early in the school day as possible. DCF will advise school personnel whether they wish to interview the child in school. If DCF determines that a school interview is appropriate, their social worker will notify the building principal or his/her designee prior to the school visit. The DCF worker will provide identification upon request.</p> <p>Should the DCF worker not arrive as scheduled and should school personnel decide that the retention of the child beyond the school day is necessary to protect the child’s physical well-</p>		

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<p>being, the principal or his or her designee must attempt to notify the parent/guardian. Police assistance may be requested under these circumstances. Police shall be notified if reasonable attempts to notify parents/ guardians fail.</p> <p>2. <u>In-school Interview Process</u></p> <p>In appropriate cases, the police may also be involved in the investigation of abuse and they may want to participate or conduct the interview as described below.</p> <p>Unless parent/guardian consent has been obtained by DCF for a school interview, such interview shall be conducted in the presence of a professional staff member. This staff member may not be the suspected perpetrator or someone too involved with the suspected perpetrator to be considered “disinterested”.</p> <p>The school will provide a private place for the DCF worker and/or police personnel to interview the child. School personnel will not be an active part of the interview unless their participation is specifically requested. The investigation is to be conducted solely by the DCF worker and/or police.</p> <p>If during the course of the investigation, the DCF worker and/or police personnel determine the necessity of removal of clothing by the child, the examination may be made by the school nurse in the presence of the DCF worker and police and in accordance with procedures described in Appendix A. (Guidelines for Clinical Assessment). The district may choose, but is not required to assist in the investigation which includes the removal of clothing.</p> <p>3. <u>Removal from the home and/or school</u></p> <p>If the DCF worker has probable cause to believe that the child is suffering from serious physical illness or injury or is in immediate danger from his or her surroundings, and that immediate removal from such surrounding is necessary to ensure the child’s safety, DCF may remove or authorize a law enforcement official to remove the child from such surroundings without the consent of the child’s parent or guardian. If removal of the child from the school is determined to be necessary, DCF shall inform the building principal of the removal. Police may be called by DCF prior to removal of the child.</p> <p>4. <u>Follow-up with Parent/Guardians</u></p> <p>It is the responsibility of DCF to notify parents/guardians of any action taken by DCF following the interview.</p>		

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<p><u>Follow-up Procedures by School Staff</u></p> <p>1. <u>Notification of Parents/Guardians</u></p> <p>If the alleged perpetrator of abuse or neglect does not reside in the home with the child and the DCF worker and school staff member agree that it is appropriate to do so, the principal, his or her designee or pupil services staff member, will notify the parent/guardian that a referral to DCF has been made. If there is no agreement, notification shall be the responsibility of DCF.</p> <p>If the alleged perpetrator of abuse or neglect does reside in the home with the child, DCF will notify the parent/guardian of the referral, unless the referral is for neglect or mild abuse and the DCF worker and school employee agree that it would serve the child best to have the school staff do the notifying.</p> <p>If the alleged perpetrator of abuse or neglect is a member of the school staff, the building principal will notify the parent/guardian that a referral has been made.</p> <p>2. <u>Written Report</u></p> <p>A written report must be sent to the DCF Regional Office within forty-eight (48) hours of the oral report. This report is to be written and signed by the original person who has “reasonable cause to suspect or believe”. If this person is not a mandated reporter, the written report may be submitted by the mandated reporter with whom he or she has consulted. All written reports must be signed and must contain, if known, the following information:</p> <ul style="list-style-type: none"> a) the names and addresses of the child and his parents or other person responsible for his care; b) the age of the child; c) the gender of the child; d) the nature and extent of the child’s injury or injuries; e) the approximate date and time the injury or injuries, maltreatment or neglect occurred; f) information concerning any previous injury or injuries or maltreatment or neglect of the child or his siblings; 		

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<p>g) the circumstances in which the injury or injuries, maltreatment or neglect, came to be known to the reporter;</p> <p>h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect; and</p> <p>i) whatever action, if any, was taken to treat, provide shelter, or otherwise assist the child.</p> <p>A copy of the written report must be sent to the Pupil Services Coordinator while another copy is kept in the principal's confidential file. A copy is not to be filed in the student's cumulative record.</p> <p>The name of the reporter will not be disclosed by DCF, without the reporter's written consent, except to:</p> <p>a) a DCF employee</p> <p>b) a law enforcement officer</p> <p>c) an appropriate State's Attorney</p> <p>d) an appropriate Assistant Attorney General</p> <p>e) a Judge and all necessary parties in a court proceeding</p> <p>f) a state child care licensing agency, executive director of any institution school or facility or superintendent of schools.</p> <p>3. <u>Monitoring the Child After Report Has Been Made</u></p> <p>Communication will be established and maintained among appropriate school personnel and DCF staff in order to provide a supportive environment for the child.</p> <p>Appropriate school staff will support and monitor the child in school if necessary and appropriate.</p> <p>Additional reports to DCF shall be made should new suspicions arise.</p>		

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<p><u><i>Reporting of Child Abuse or Neglect Suspected to Have Been Committed by School Employees</i></u></p> <p>Any professional or paraprofessional who has reasonable cause to suspect or believe that a child under the age of eighteen (18) has been abused or neglected by a school employee must report that suspicion to DCF in the manner described above. Any other staff member who suspects or believes such abuse or neglect shall report those suspicions to a legally mandated reporter, who shall in turn report his or her own reasonable suspicions or beliefs to DCF as described above. The confidentiality of staff, student and family must be maintained beyond those with a need to know.</p> <p>Additionally the reporting professional or paraprofessional staff member shall immediately inform the building principal, who will in turn notify the parent/guardian and the Superintendent of Schools that such a report has been made. In the case of certified staff, the Superintendent shall, within seventy-two (72) hours, submit a copy of the written report to the Commissioner of Education or his/her representative. The building principal shall immediately inform the staff member of the allegations.</p> <p>When a DCF investigation produces evidence that abuse or neglect has occurred, and the employee in question is a certified public school employee in a position requiring certificate, the Superintendent shall suspend the certified professional employee with pay and without diminution or termination of benefits. The Superintendent or his/her designee shall then notify the Board of Education and the Commissioner of Education of the reasons for and conditions of the suspension within seven-two (72) hours.</p> <p>The suspension remains in effect until the Board of Education takes action under the Teacher Tenure Act.</p> <p>If a certified school employee is convicted of a crime involving child abuse or neglect, the State's Attorney must notify the Superintendent of Schools, and the Commissioner of Education. Any certificate issued by the State Board of Education and held by a certified school employee convicted of a crime involving child abuse or neglect shall be deemed to be revoked and the Commission of Education shall notify such person of such revocation, provided such person may request reconsideration pursuant to the regulations adopted by the State Board of Education.</p> <p>If the contract of employment of a certified employee is terminated as a result of an investigation under these regulations, the Superintendent shall notify the Commissioner of Education, or his/her representative, within seventy-two (72) hours of such termination.</p> <p>When the Superintendent finds evidence of child abuse by a non-certified school employee, he/she will take action deemed appropriate, including possible suspension or termination, in accordance with the law and Board policy.</p>		

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<p><u><i>Investigation by the Superintendent</i></u></p> <p>In addition to the mandatory investigatory procedures and consequences described above, the Superintendent shall conduct an independent investigation of allegations and may institute such remedial or disciplinary measures as are within the scope of his/her authority.</p> <p>The Superintendent is authorized to delegate his or her responsibilities for receiving and making reports notifying and receiving notification, or investigating, to a designee acting in his or her behalf.</p> <p>To the extent feasible, this investigation shall be coordinated with DCF and the police in order to minimize the number of interviews of any child and to share information with other persons authorized to conduct an investigation of child abuse and neglect.</p> <p>When investigating a report of alleged abuse by a school employee, the Superintendent shall endeavor or obtain, if deemed necessary, the consent of parents or guardians or other persons responsible for the care of the child to an interview with a child.</p> <p>The Superintendent's investigation shall include an opportunity for the suspected abuser to be heard with respect to the allegations contained within the report. During the course of an investigation of suspected abuse by a school employee, the Superintendent may suspend the employee or may place the employee on administrative leave, pending the outcome of the investigation.</p> <p><u><i>Procedures for Use With Persons with Intellectual Disabilities</i></u></p> <p>1. <u>Reporting Procedures</u></p> <p>Professional or paraprofessional staff members who have reasonable cause to suspect or believe that a person with intellectual disabilities over the age of eighteen has been abused or neglected, as defined below, shall immediately make an oral report to the Director of the Office of Protection and Advocacy for Persons with Disabilities.</p> <p>All other employees must report such reasonable suspicions or beliefs to a professional or paraprofessional staff member, who then must make the oral report.</p> <p>A written report must be sent to the Office of Protection and Advocacy for persons with Disabilities within seventy-two hours (72) of an oral report, signed by the professional or paraprofessional staff member who first arrived at "reasonable suspicion or belief".</p>		

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<p>A copy of the written report must be sent to the Director of Special Services and one to the building principal, to be kept in his/her confidential file. A copy is not to be filed in the student's cumulative record.</p> <p>2. <u>Definitions</u></p> <p>With respect to reports to the Director of the Office of Protection and Advocacy for Persons with Disabilities regarding intellectual disabilities, the following definitions shall apply:</p> <p>a) "Abuse" means the willful infliction of physical pain or injury or the willful deprivations by a caretaker of services which are necessary to the person's health or safety.</p> <p>b) "Neglect" means a situation where a person with intellectual disabilities either is either living alone or is not able to provide for him or herself the services which are necessary to maintain his/her physical and mental health or is not receiving such necessary services from the caretaker.</p> <p>3. <u>Contents of Reports</u></p> <p>Any report to the Director of the Office of Protection and Advocacy for Persons with Disabilities shall contain the following information:</p> <p>a) the name and address of the allegedly abused or neglected person;</p> <p>b) a statement from the reporter indicating a belief that the person has an intellectual disability, together with information indicating that the person is substantially unable to protect him or herself from abuse or neglect;</p> <p>c) information concerning the nature and extent of the abuse or neglect; and</p> <p>d) any additional information which the reporter believes would be helpful in investigating the report or in protecting the person with an intellectual disability.</p> <p>4. <u>Investigation of the Report</u></p> <p>a) If the suspected abuser is a school employee, the Superintendent shall thoroughly investigate the report, following the procedures regarding the investigation of reports of child abuse set forth above.</p>		

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<p>b) If the investigation by the Superintendent and/or the Office of Protection and Advocacy produces evidence that a person with an intellectual disability has been abused by a school employee, the Superintendent and/or Board, as appropriate, may take disciplinary action, up to and including termination of employment.</p> <p align="center"><u>THE EDUCATIONAL COMPONENT</u></p> <p>The goal of the educational component is to prepare school personnel to recognize and intervene in child abuse/neglect situations as early as possible in order to prevent harm, or further harm, to the child, and to collaborate with community health and social agencies in reporting and dealing with these cases.</p> <p>The Danbury Board of Education will be responsible for disseminating and explaining the district's policy and procedures to every school employee and will provide school staff with ongoing education related to the recognition and reporting of suspected child abuse and neglect. Staff development programs shall include:</p> <ul style="list-style-type: none"> • dynamics and prevalence of child abuse, child neglect and child sexual abuse • predisposing factors that put children and youth at risk as victims and adults at risk as perpetrators • profound effect of abuse and neglect on children and youth • recognition of the signs and symptoms of child abuse and neglect • the role and responsibilities of DCF • the intention and requirement of Connecticut's child abuse reporting laws • the method of filing both oral and written reports to DCF • clear delineation of the legal sanctions for failure to follow the law and administrative sanctions for failure to follow school policy and procedures 		

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<p><u>Legal Reference: Connecticut General Statutes</u></p> <p>10-145b Teaching certificates</p> <p>10-151 Employment of Teachers</p> <p>17a-101 Protection of children from abuse. Mandated reporters. Training Program for identification and reporting of child abuse and neglect.</p> <p>17a-101a Report of abuse or neglect by a mandated reporter. Penalty for failure to report.</p> <p>17a-101b Oral report by mandated reporter to Commission of Children and Families or law enforcement agency. Notification of person in charge of institution, facility, when.</p> <p>17a-101c Written report by a mandated reporter.</p> <p>17a-101d Contents of oral and written reports.</p> <p>17a-101e Employers prohibited from discrimination against witness in child abuse proceedings. Immunity for making report of child abuse in good faith. False report of child abuse. Penalty.</p> <p>17a-101g Removal of child in imminent risk of harm.</p> <p>17a-101h Coordination of investigatory activities. Interview with child. Consent.</p> <p>17a-101i Abuse of child by a school employee. Suspension.</p> <p>17a-103 Reports by others.</p> <p>17a-106 Cooperation in relation to prevention, identification and investigation of child abuse and neglect.</p> <p>46a-11b Reports of suspected abuse or neglect required of certain persons. Report by others.</p> <p>46b-120 Definitions.</p>		

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<p align="center">APPENDIX</p> <p align="center"><u>Guidelines for Clinical Assessment</u></p> <p>1. In order to determine whether there is reasonable cause to suspect or believe that a child has been abused or neglected, or is at risk of abuse, school staff may, but are not required to, make reasonable inquiry of the child. Such inquiry will be conducted by a school social worker, school counselor, school psychologist, or school nurse, or by other para professional, professional staff in close consultation with a pupil services staff member. In their absence, the principal/designee will contact the Coordinator of Pupil Services for assistance in interviewing the child.</p> <p>2. The student should be physically examined only where there is reasonable cause to suspect or believe that a student has been abused or neglected, or when there is an apparent need for emergency medical treatment. A school nurse and a school medical advisor are the only school personnel who may physically examine a student, and may request that a student remove clothing when one of the following conditions exist:</p> <ul style="list-style-type: none"> • a student has identified a particular injury, the extent of which can be determined only by removing the student’s clothing; • the examination is necessary to determine whether medical attention is required and not merely to confirm suspected abuse; • the request is made in such a manner that the student clearly understands that compliance with the request is optional and that no adverse consequences will result from a refusal to comply. <p>In addition to the school nurse, a staff member of the same sex as the student will be present during the examination. In the case of suspicion of sexual abuse, the student will be referred for a physical examination by medical personnel after being seen by the DCF worker or sooner, if in the judgment of DCF or the police an examination should be conducted before the DCF interview.</p>		