

Students

Reporting of Child Abuse and Neglect

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Because the school offers a setting in which students are observed on a daily basis over extended periods of time, school personnel are in a unique position to identify abused or neglected children. The Board of Education recognizes that a student's mental and physical health will have an effect on the student's ability to obtain the most benefit from attending school.

Connecticut General Statutes 17a-101, as amended by PA 96-246, 97-319, 02-106 and 02-138 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 placed in imminent risk of serious harm. The district shall not discharge or in any manner discriminate or retaliate against any mandated school employee who in good faith makes a report pursuant to CGS 17a-101 or is involved in any proceedings pertaining to the alleged child abuse or neglect.

Mandated Reporters include the following: any certified personnel, including the Superintendent of Schools, nurses, psychologists, teachers, principals, guidance counselors, social workers, paraprofessionals and coaches of intramural or interscholastic athletics.

Recognizing child/youth abuse or neglect: The following list is not all inclusive but only serves as a guideline for mandated reporters in recognizing abuse or neglect.

Physical Injury or Abuse:

Physical injury or injuries inflicted upon the student by other than accidental means, or injuries which are at variance with the history given ;

Exhibits signs of malnutrition, sexual molestation, deprivation of necessities, or emotional maltreatment or cruel punishment.

Neglect:

Abandonment, homelessness, denied proper care and attention (physically, emotionally, or morally),

Is living under conditions, circumstances or associations which are injurious to the student's well being, or is living in a home which cannot provide the specialized care which the student's physical, emotional or mental condition requires.

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Reporting of Alleged Child Abuse Inflicted by Person Responsible for Child

1. If a staff member (mandated reporter) suspects that a student is abused or neglected, the mandated reporter must report the suspicion. It is not the responsibility of the school employee to prove the alleged abuse or neglect. The principal or designee must immediately be informed. Suspected abuse believed to be caused by a person responsible for a child under the age of eighteen, in accordance with CGS 17a-101, requires a mandated reporter to report it orally by telephone or in person within twelve (12) hours to the Department of Children and Families or to the local or state police.
2. The principal may notify the school psychologist, social worker, nurse and/or guidance counselor of the suspected abuse, one of whom may interview the student.
3. This is to be followed within 48 hours with a written report to the Commissioner of the Department of Children and Families and the local or state police. The Board directs mandated reporters to inform the building principal immediately after an oral report has been made, and the principal in turn will notify the Superintendent of Schools.
4. The report shall contain the names and addresses of the child and his/her parents, or other persons responsible for his/her care, if known; age of child; gender of child; nature and extent of injuries; maltreatment or neglect, together with any evidence of previous injury or maltreatment to the child or his/her siblings; the name of the person suspected to have caused injury or maltreatment or neglect, and any other information which the reporter believes might be helpful in establishing the cause of the injury or injuries and protecting the child; the approximate date and time the injury or injuries, mal-treatment 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 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 for or otherwise assist the child.

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Reporting of Alleged Child Abuse Inflicted by School Employee

As the result of increased awareness of child abuse in our society, CGS 17a-101 requires mandated reporters to report child abuse by school employees.

1. In cases where the mandated reporter suspects or believes such injury has been inflicted by a school employee, he/she shall report that suspicion orally or in person to the Department of Children and Families within twelve (12) hours, followed by a written report within forty eight (48) hours.
2. The Superintendent of Schools or supervising agent shall be notified immediately after the oral report has been made and shall also receive a copy of the written report except when that person is the alleged perpetrator.
3. The Superintendent shall immediately notify the child's parent or other person responsible for the child's care that a report has been made.
4. The written report to the Commissioner of the Department of Children and Families or his/her representative, concerning a school employee who possesses a certificate, permit or authorization issued by the State Board of Education, shall also be sent by the Superintendent to the Commissioner of Education or his/her representative.
5. The report shall contain the names and addresses of the child and his/her parents, or other persons responsible for his/her care, if known; age of child; gender of child; the nature and extent of injuries; maltreatment or neglect, together with any evidence of previous injury or maltreatment to the child or his/her siblings; the name of the person suspected to have caused injury or maltreatment or neglect and any other information which the reporter believes might be helpful in establishing the cause of the injury or injuries and protecting the child; 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 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 for or otherwise assist the child.

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Reporting of Alleged Child Abuse Inflicted by School Employee - continued

4. The Superintendent is obligated to immediately begin the investigation of the report with the Department of Children and Families. The Superintendent may request assistance from the local police or state police in the investigation.
5. If the Superintendent finds evidence of child abuse by a school employee, he/she must immediately notify the child's parent/guardian, the local or state police, the Commissioner of Children and Families or his/her representative, and, in the case of an investigation of a certified school employee, the Commissioner of Education or his/her representative.
6. When an investigation produces such evidence, and the employee in question is in a position requiring a certificate, the Superintendent must suspend the certified employee with pay and without diminution or termination of benefits, provided he/she notifies the Board of Education of the reasons for the suspension within 72 hours thereafter.
7. The suspension remains in effect until the Board takes action pursuant to CGS 10-151 (Teacher Tenure Act).
8. The Superintendent must report suspected child abuse by a certified school employee to the Commissioner of Education or his/her representative. If the contract of employment of a certified school employee is terminated as a result of an investigation which reveals that child abuse has occurred, the Superintendent shall notify the Commissioner of Education within 72 hours of such termination.

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Emergency Health Care and Reasonable Inquiry - continued

When reasonable cause exists to suspect or believe that a child has been abused or neglected, or when a child has a visible injury, school personnel may make reasonable inquiry of a child regarding such suspicion or visible injury.

School personnel, except for a school nurse or a school medical advisor, may not remove or insist that a child remove clothing to confirm suspected abuse or neglect, except in those circumstances where immediate action is required or in the case of apparent need for emergency medical treatment. A school medical advisor or school nurse may request that a child remove clothing when the following conditions exist:

1. A child has identified a particular injury, the extent of which can only be determined by removing the child's clothing, and
2. The examination is necessary to determine whether medical attention is required and not merely to confirm suspected abuse, and
3. The request is made in such a manner that the child clearly understands that compliance with the request is optional and that no adverse consequences will result from a refusal to comply.

Investigation of Reports of Suspected Child Abuse/Neglect in the School Setting

As part of the investigative process, the DCF social worker and social work supervisor may determine, based upon the nature of the referral, that an interview with the child needs to be conducted in the school setting. Interviewing in the school setting will be limited to emergency situations such as the following:

1. There is probable cause to believe that a suspected child abuse/neglect victim is in need of emergency medical services; or
2. A child who is a suspected sexual abuse victim will return upon leaving school to the care of the suspected perpetrator; or
3. There is probable cause to believe that a suspected abuse victim will be in imminent danger if returned home.

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Investigation of Reports of Suspected Child Abuse/Neglect in the School Setting (continued)

4. School personnel who believe that an interview in the school setting may be necessary in order to protect the child, must notify DCF as early in the day as possible to provide both DCF and the education agency ample time to coordinate activities and actions as may be appropriate. Upon receipt of such notice, DCF will advise school personnel whether the child must be interviewed in the school.

If school personnel decide to retain the child after the scheduled school day in order to ensure that DCF or local or state police be involved, school personnel must attempt to notify the parents of the child.

DCF shall be solely responsible for notifying the parent of the interview if such notification has not already taken place. DCF shall also be responsible for notifying the parent of any activities or actions taken by DCF following the interview.

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, PA 00-220, PA 02-106, and PA 09-242.

17a- 102 Report of danger of abuse. (as amended by PA 02-106 and PA 02-138)

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

PA 96-246 An Act concerning the Reporting, Investigation and Prosecution of Child Abuse and the Termination of Parental Rights

10-151 Teacher Tenure Act

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